

OPINIONS AND DECLARATIONS

rendered by the

INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

*Secretary to the International Commission
on Zoological Nomenclature*

VOLUME 2, SECTION A
(comprising *Declarations* 10-12 and
Opinions 134-160)

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W. 7

1939-1945

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Printed in Great Britain
BY RICHARD CLAY AND CO., LTD.,
BUNGAY, SUFFOLK



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FOREWORD

The International Commission on Zoological Nomenclature have great pleasure in presenting to the zoological public Section A of Volume 2 of their "*Opinions and Declarations*," the first completed unit of the series of volumes, to the publication of which they committed themselves when in 1939 they adopted their present publications programme.

Prior to 1939, the *Opinions* of the Commission (then their only class of publication) were published on their behalf by the Smithsonian Institution, Washington, free of all charge to the Commission which at that time possessed no funds of their own. The decision taken in 1939 that the International Commission should thenceforward act as their own publishers was the inevitable outcome of the transfer of the Secretariat of the Commission from Washington to London, consequent upon the election of the present Secretary to the Commission. Nevertheless, that decision was not lightly taken, for it involved the assumption of heavy responsibilities at a time when the Commission had at their disposal only the most slender financial resources.

The International Commission are deeply conscious of the debt of gratitude which they owe to the Smithsonian Institution for the help freely and continuously accorded during the period of 27 years during which the first 133 of the Commission's *Opinions* were in process of publication. Further, the Commission owe much to the interest shown in their work throughout that period both by the Smithsonian Institution as a great national scientific institution and also by the many members of its scientific staff who contributed to the work of the Commission. The International Commission are happy to take this opportunity of bearing witness to their obligations to the Smithsonian Institution and of recording their grateful thanks for the invaluable aid rendered by it for so many years. It is a matter of particular satisfaction to the Commission that, although their headquarters are now in Europe, the relations between the Commission and the Smithsonian Institution and the members of its scientific staff remain of the closest and most cordial character.

At the present important turning-point in the development of their work, the International Commission desire also to pay a tribute to the great services rendered to them by the late Dr.

Charles Wardell Stiles during the period of 37 years in which he held the Office of Secretary to the Commission. Dr. Stiles was appointed Secretary to the Commission on the establishment of that Office in 1898 and held it continuously until 1935, when ill-health and advancing age made it necessary for him to relinquish that post. Dr. Stiles brought to the service of the Commission a unique combination of gifts, prominent among which was a deep-seated conviction of the need for co-operation on the international plane in regard to those matters of common concern to all zoologists which by their nature were incapable of settlement upon a purely national basis. These gifts, coupled with great energy and a remarkable capacity for perseverance, enabled Dr. Stiles to play an invaluable part in guiding the fortunes of the Commission amid the difficulties and dangers which inevitably beset the path of any international body during the early years of its existence. It is a particular source of regret to the International Commission that Dr. Stiles should have died during the war and thus has not lived to see the completion of the present volume. If it had not been for his long and devoted labours on their behalf, the Commission might never have acquired the strength necessary to carry this task to a successful issue.

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature.*

29th October 1945.

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INTRODUCTORY NOTE

By FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the International Commission on Zoological Nomenclature.

I. The decision of the International Commission on Zoological Nomenclature to publish the present work.

The decision that the International Commission on Zoological Nomenclature should assume direct responsibility for the publication of its *Opinions* by becoming its own publisher was taken at a meeting of the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 (Plenary Conference, 1st Meeting, Conclusion 6¹) under the authority of a Resolution adopted by the International Commission at their Session held at Lisbon in September 1935 (Lisbon Session, 5th Meeting, Conclusion 10²). Previous to 1939, the *Opinions* rendered by the International Commission on Zoological Nomenclature had been published on their behalf by the Smithsonian Institution, Washington. This arrangement had been of the greatest value to the International Commission for many years but its continuance was manifestly impracticable after the transfer of the headquarters of the Commission from Washington to London consequent upon the election of the present Secretary to the Commission in succession to Dr. C. W. Stiles.

II. The decision to publish volume 2 before volume 1.

2. It would have been possible in 1939 to treat the *Opinions* (*Opinions* 1-133) published by the Smithsonian Institution between 1910 and 1936 as constituting, as it were, a first series and therefore to treat the present volume (commencing with *Opinion* 134) as volume 1 of the new work *Opinions rendered by the International Commission on Zoological Nomenclature*, but such a course would have entailed many inconveniences and would have been prejudicial to the orderly development of the work of the International Commission.

3. The *Opinions* published in the period ended 1936 contained

¹ See 1943, *Bull. zool. Nomencl.* 1 : 74.

² See 1943, *Bull. zool. Nomencl.* 1 : 48.

many important decisions by the International Commission and it was clearly desirable that these decisions should be readily available to all students of zoological nomenclature. Unfortunately, by 1939 these *Opinions* were no longer available in this way, since in the majority of cases the original issue had by that time become exhausted and in consequence copies were no longer obtainable.

4. Quite apart from the foregoing considerations, there were cogent reasons which made it desirable that a revised and annotated edition of the earlier *Opinions* should be issued as soon as possible. In the first place, the *Règles Internationales de la Nomenclature Zoologique*³ (International Code of Zoological Nomenclature) had been amended in a number of important particulars in the period which had elapsed since 1907, the year in which the International Commission adopted the first of its *Opinions*. In particular, the amendment of Article 25 of the *Règles Internationales* adopted by the Tenth International Congress of Zoology at its meeting held at Budapest in 1927 had automatically restricted the scope of all *Opinions* previously rendered by the International Commission in regard to the interpretation of Article 25. Those *Opinions* remained valid and binding as respects names published prior to midnight 31st December 1930/1st January 1931, the hour at which the Budapest amendment became operative, but they were no longer applicable to names published after that date.⁴ No note had ever been published drawing attention to the restrictions so imposed upon certain of the older of the *Opinions* rendered by the International Commission, nor, even if such a note had been published, would it have been fully effective, for there existed no means of ensuring that it was brought to the attention of every reader of the older *Opinions*. Clearly the only way by which the desired result could be obtained would be by the issue of a revised edition of the *Opinions* concerned, which would contain notes giving full particulars of any modifications which had been made in the

³ The English, German and Italian versions of the International Code are no more than translations of the French text, which is the sole substantive text. Accordingly, the official title of the International Code is the title given to it in the French text, namely "*Règles Internationales de la Nomenclature Zoologique*."

⁴ For the English version of the text of Article 25 of the *Règles Internationales* as amended by the Tenth International Congress of Zoology at Budapest in 1927, together with notes thereon, see NOTE 3 to *Opinion 1* (1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1* : 76-78).

decisions recorded in those *Opinions* consequent upon amendments made in the *Règles Internationales*.

5. In addition, a great deal of bibliographical work had been done by numerous workers in the period which had elapsed since the publication of the earlier of the Commission's *Opinions*. In consequence, it was now known that some of the bibliographical references cited in those *Opinions* required amendment. For this and similar reasons, it had become evident also that some of the entries in *Opinions* relating to the placing of names on the *Official List of Generic Names in Zoology* contained errors which it was desirable should be corrected at the earliest possible moment. It was felt also that the value of the earlier *Opinions* would be greatly enhanced if an edition was available in which full bibliographical references were given for all the names discussed. Finally, there was clearly an urgent need for a full subject index of the older *Opinions*, since, through the lack of such an index, it had in the course of years become increasingly difficult for readers to trace particular decisions taken by the Commission in those *Opinions*. No really satisfactory index could, however, be constructed until there was in existence an edition of those *Opinions* continuously paged throughout.

6. It was for these reasons that it was decided in 1939 that the first volume of the proposed work *Opinions rendered by the International Commission on Zoological Nomenclature* should be reserved for an annotated re-issue of *Opinions* 1-133 and therefore that the *Opinions* recording the decisions taken at Lisbon in 1935 should be published in volume 2 of that work.

III. The decision to include *Declarations* as well as *Opinions* in the present work.

7. At the meeting of the Ninth International Congress of Zoology held at Monaco in 1913, the International Commission on Zoological Nomenclature adopted a number of important resolutions on general questions relating to zoological nomenclature. Similar resolutions were adopted at later meetings of the International Congress of Zoology, including three at the Twelfth International Congress held at Lisbon in 1935. Owing to the general character of the subjects dealt with in these resolutions, they were never formally rendered and published as *Opinions*. In consequence, the only place in which it was possible to find these resolutions was in the *Comptes Rendus* of the Congresses at

which they had been adopted by the International Commission. This method of publication had the unfortunate result that the texts of these resolutions were inaccessible to most zoologists. It was only natural, therefore, that these resolutions had not secured the amount of attention which their importance demanded. When, therefore, the whole position as regards the publications of the Commission was reviewed in 1942 consequent upon the re-opening of the Secretariat (which owing to the state of war it had been necessary to close in 1939), it was decided to remedy the position described above by collecting the resolutions in question and rendering them as formal documents under the title "*Declarations.*"⁵

8. At the time when this decision was taken, it was contemplated that the Commission's *Declarations* would be issued in a separate work entitled "*Declarations rendered by the International Commission on Zoological Nomenclature.*" On further consideration, it was felt that this course was open to objection, partly because the relatively small number of *Declarations* so far rendered made it inevitable that a considerable time would necessarily need to elapse before the first volume of the projected work could be completed and partly because it was considered that it would be more appropriate that the Commission's *Declarations* should be published jointly with their *Opinions*. It was accordingly decided in the summer of 1943 that the title of the work already in course of publication should be expanded to "*Opinions and Declarations rendered by the International Commission on Zoological Nomenclature,*" that *Declarations* 1-9, which embodied resolutions adopted by the Commission at various dates during the period in which Dr. Stiles was Secretary to the Commission, should be published in volume 1, together with *Opinions* 1-133, which had been adopted by the Commission during the same period, and that *Declarations* 10-12, which had been adopted by the Commission in 1935 at their Lisbon Session, should be published in volume 2, in which the *Opinions* adopted at the same Session were then in process of being published.

IV. The lay-out of the present work.

9. When in 1939 it was decided to bring the present work into existence, the International Commission were confronted with a large mass of arrears of work, for at that time *Opinions* had not

⁵ See 1943, *Bull. zool. Nomencl.* 1 : xxxvi.

been published in regard to any of the forty-eight nomenclatorial problems on which decisions had been reached at the Session of the Commission held at Lisbon in 1935. In order, therefore, to render possible the publication of each *Opinion* immediately it was completed, it was decided that each *Opinion* should be published as a separate Part. Successive Parts were paged continuously (in Arabic numerals), in order to render possible the construction of a subject index on the completion of the volume.

10. In view of the fact that, as originally contemplated, the present volume would contain only *Opinions*,⁶ it was not thought necessary at the outset to allot a Part No. to the Part containing each *Opinion*, for it was considered that the fact that the *Opinions* were themselves numbered in consecutive sequence would provide a sufficient indication of the order in which successive Parts should be arranged for binding when the volume was completed. In order, however, to serve as a further safeguard, the numbers of the pages comprised in each Part were noted in a prominent place on the front page of each *Opinion*.

11. When, however, it was decided in the summer of 1943 to include *Declarations* as well as *Opinions* in this and other volumes of the present work, it became necessary to review this matter, since, unless special action was taken, each *Declaration* would inevitably be allotted page numbers immediately following those of the preceding Part containing an *Opinion*. The result would be that, when the volume was bound, the *Declarations* would be intermingled with the *Opinions* in the order in which they had been published. It was felt that this would be inconvenient and that it would be much more satisfactory if arrangements could be made to secure that in the completed volume the *Declarations* were grouped together and placed before the *Opinions*. It was accordingly decided that the *Declarations* should be given a different pagination from that allotted to the *Opinions*. Since the latter had already been allotted pagination in Arabic numerals, it was decided that the pages of the *Declarations* should be numbered in small Roman numerals.

12. The decision to publish *Declarations* and *Opinions* in the same volume made it necessary also to allot a Part No. to each *Declaration* and *Opinion* so published, since otherwise it would not have been possible for subscribers to be sure that their sets were complete. The eleven unnumbered Parts (containing *Opinions* 134-144) already published were accordingly treated

⁶ See paragraphs 7 and 8 above.

as though they had been issued as Parts I to II and the next Part to be issued (containing *Opinion* 145) was given the Part No. 12. The three *Declarations* adopted by the International Commission at their Lisbon Session (*Declarations* 10-12) were later published as Parts 18, 19, and 22.

V. The decision to publish the present volume in two Sections.

13. One of the objects which the International Commission have set themselves is so to arrange their work as to eliminate all unnecessary delays both in reaching decisions on questions submitted to them and also in publishing *Opinions* on such questions as soon as they have been settled. It was with this object in view that at the outset⁷ each *Opinion* was published as a separate Part, thereby avoiding the sometimes considerable delays which were inevitable when six or more *Opinions* were published as a single number. When the present volume was started, there were 48 *Opinions* and 3 *Declarations* relating to matters on which decisions had been taken at Lisbon and it was obvious therefore that a considerable period would necessarily elapse before it would be possible to make a start with the publication of the *Opinions* adopted by the Commission subsequent to their Lisbon Session. After careful consideration, it was decided in the autumn of 1944 that the best course would be to allot the whole of volume 2 of the present work to the *Opinions* and *Declarations* adopted at Lisbon and at the same time to make an immediate start with the publication of the post-Lisbon *Opinions* as Parts of volume 3 of the present work. This decision involved an increased delay in the publication of the last instalment of the Lisbon *Opinions*, but this disadvantage was far outweighed by the great gain secured through enabling the Commission at once to publish their most recent *Opinions* and thus get into a position in which in future they could publish any *Opinion* or *Declaration* immediately it was adopted.

14. One of the effects of the foregoing decision was to commit the Commission to publishing in volume 2 of the present work *Opinions* 134-181 and *Declarations* 10-12, making a total of 51 Parts, exclusive of a concluding Part containing the title page and index to the volume. In the year which has elapsed since the above decision was taken considerable progress has been made with the publication of Parts belonging to the present volume and

⁷ See paragraph 9.

it is now clear that, when it is completed, the volume will contain some 600 pages. This is too large a volume for convenient reference and it has accordingly been decided to divide the volume into two Sections (Sections A and B), each provided with a title page and indexes, thereby making it possible to bind the volume in two portions, each of a convenient size, for purposes of reference. As the three *Declarations* and the earlier *Opinions* included in the volume were, on the average, shorter than the later *Opinions*, it was decided that the most convenient arrangement would be to include in Section A *Declarations* 10-12 and *Opinions* 134-160, leaving *Opinions* 161-181 for publication in Section B.

15. As the earlier of the Parts allotted to Section B had already been published by the time that this decision was taken, it was necessary to adopt a different method of pagination for the indexes to Section A. It was accordingly decided that these should be given page numbers in Arabic type enclosed in round brackets. At the same time it was decided that the Table of Contents and Introductory Note to be published in the same sheet as the title page of Section A should be given page numbers in capital Roman numerals.

VI. The importance of *Corrigenda*.

16. The late Dr. C. Davies Sherborn at the end of the first volume of his monumental *Index Animalium* wrote the following wise words regarding the importance of "Corrigenda":—

In a book of reference, the first pages which should be studied are those containing the "corrigenda," as they represent the sum of the compiler's labours after the main work has passed the press.

17. Dr. Sherborn's words apply to the publications of an institution such as the International Commission on Zoological Nomenclature just as much as to compilations by individual specialists. Zoologists are therefore particularly invited immediately to study the supplementary notes on *Opinions* 137, 148 and 149 which appear on pages (5) to (18) of the present volume and the minor corrections and additions listed on pages (19) to (20).

VII. Retrospect and Prospect.

18. The first three *Opinions* included in the present volume were published on 28th August 1939, only four days before the

outbreak of war in Europe. Then followed a period of thirty-three months in which owing to war conditions it was impossible to continue the work of the Commission. A fresh start was, however, made in June 1942 and thereafter the publication of *Opinions* proceeded steadily. Today, the present Part, the last of Section A of the present volume, is completed almost exactly six years after publication began.

19. After the innumerable difficulties encountered during the war years, it is a matter both of relief and satisfaction to the International Commission that now within a fortnight of the end of the war they are able to offer the present volume to the zoologists of the world. That this has been possible has been due in large part to the unstinted support which in spite of their many urgent pre-occupations zoologists have throughout the war consistently accorded to the International Commission in its determination to maintain intact the fabric of international co-operation until upon the return of peace it became possible actively to resume work on zoological nomenclature. That the efforts of the Commission in this regard have been successful affords a striking testimony to the devotion of zoologists to their special studies, and offers the brightest hopes for a rapid and fruitful extension of work in this field now that the war at last is over.

20. The International Commission on Zoological Nomenclature desire to take this opportunity of expressing their grateful thanks to all the Scientific Institutions, Learned Societies and individual zoologists who during the last six years have contributed to the work of the Commission, either by making gifts to the funds of the Commission or by subscribing to its publications or by placing at the disposal of the Commission their special knowledge on questions on which the Commission have sought their aid.

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature.*

2nd September 1945.

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
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VOLUME 2

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the International Commission on Zoological Nomenclature

LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature

and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office

41, Queen's Gate, London, S.W.7

1939—1955

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION AT LISBON IN 1935 OF THE "OPINIONS" AND "DECLARATIONS" PUBLISHED IN THE PRESENT VOLUME

A. The Officers of the Commission

- President* : Dr. Karl Jordan, Ph.D. (*The Zoological Museum, Tring, Herts, England*).
- Secretary* (absent from Lisbon Session on account of illhealth) : Dr. Charles Wardell Stiles (*Smithsonian Institution, U.S. National Museum, Washington, D.C., U.S.A.*).
- Acting Secretary* (*Lisbon Session*) : Mr. Francis Hemming, C.B.E. (*London*).

B. The Members of the Commission

Class 1937

- Professor H. B. FANTHAM (*McGill University, Montreal, Canada*).
- Dr. James L. PETERS (*Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.*).
- Professor Filippon SILVESTRI (*Istituto Superiore Agraria, Portici, Napoli, Italy*).
- Dr. Leonard STEJNEGER (*Smithsonian Institution, U.S. National Museum, Washington, D.C., U.S.A.*).
- Dr. Witmer STONE (*Academy of Natural Sciences, Philadelphia, Pennsylvania, U.S.A.*).

Class 1940

- Professor Karl APSTEIN (*Zoologisches Institut der Universität, Berlin*).
- Professor Candido BOLIVAR y PIeltaIN (*Museo Nacional de Ciencias Naturales, Madrid, Spain*).
- Dr. William Thomas CALMAN (*British Museum (Natural History), London*).
- Professor Teiso ESAKI (*Kyushu Imperial University, Fukuoka City, Japan*).
- Dr. Charles Wardell STILES (*Smithsonian Institution, U.S. National Museum, Washington, D.C., U.S.A.*).

Class 1943

- Senor Dr. Angel CABRERA (*Museo de la Plata, La Plata, F.C.S., Argentina*).
- Mr. Frederick CHAPMAN (*National Museum, Melbourne, Victoria, Australia*).
- Mr. Francis HEMMING (*London*).
- Dr. Karl JORDAN (*The Zoological Museum, Tring, Herts, England*).
- Professor Jacques PELLEGRIN (*Muséum National d'Histoire Naturelle, Paris*).
- Professor Rudolf RICHTER (*Natur-Museum Senckenberg, Frankfurt a. Main Germany*).

C. Alternate Members of the Commission at the Session held at Lisbon in 1935

- Senhor Dr. Afranio do AMARAL (*Instituto Butantan, Sao Paulo, Brazil*).
- Professor Walter ARNDT (*Zoologisches Museum der Universität, Berlin*).
- Dr. Max BEIER (*Zoologisches Abteilung, Naturhistorisches Museum, Vienna*).
- Professor J. Chester BRADLEY (*Cornell University, Ithaca, N. Y., U.S.A.*).
- Dr. Th. MORTENSEN (*Zoologiske Universitetets Museum, Copenhagen, Denmark*).
- Professor Hiroshi OHSHIMA (*Amakusa Marine Biological Laboratory, Kyushu Imperial University, Fukuoka City, Japan*).

INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE "DIRECTIONS" PUBLISHED IN THE PRESENT VOLUME

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*)

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FOREWORD

The present volume is devoted to the *Opinions* and *Declarations* in which are embodied the Rulings adopted by the International Commission on Zoological Nomenclature at its Session held at Lisbon in September 1935. This volume was the first to be started after the transfer of the Secretariat of the Commission from Washington, D.C., to London and was in consequence the first volume for the publication of which direct responsibility was assumed by the Commission itself. The first three Parts of this volume (containing *Opinions* 134 to 136) were published on 28th August 1939. The outbreak of war in Europe a few days later inevitably caused great delays, first, because from September 1939 to the summer of 1942 the records of the Commission were evacuated from London to the country as an insurance against the risk of destruction by air-raids, second, because of the handicaps imposed by paper-rationing, shortages of labour at the printing works and similar causes. Nevertheless, by June 1945 it had been found possible to publish thirty-one further Parts (containing *Opinions* 137 to 164 and *Declarations* 10 to 12). At this stage it was decided to split the volume into two continuously-paged Sections (Sections A and B) and to issue at once the title page and indexes for Section A. This decision was prompted partly by the fact that, as was already evident, the volume when completed would be of considerable size and partly by the consideration that, having regard to the difficulties of the hour, it would inevitably be a considerable time before the entire volume could be completed. Further Parts were published in the summer and autumn of 1945 and in 1946. The last of the *Opinions* allotted to this volume (*Opinion* 181) was published in February 1947.

2. Owing to the need for concentrating the whole of the resources of the Commission upon preparations for the Session of the Commission to be held in Paris in July 1948 it had not been found possible before the opening of that Session to arrange for the completion of the present volume by the preparation of the necessary concluding Part containing the requisite indexes. At that Session the Commission received three General Directives affecting the form of its *Opinions*, each of which affected the *Opinions* published in the present volume. Under these Directives, which were retrospective in effect, the Commission was

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required :—(1) to place on the *Official List of Generic Names in Zoology* every name accepted by it in any of its *Opinions* as the oldest available name for the genus concerned ; (2) to insert in each entry on that *Official List* a statement of the gender attributable to the generic name concerned ; (3) to place on the then newly-established *Official List of Specific Names in Zoology* (then styled the *Official List of Specific Trivial Names in Zoology*) the specific name (then styled the “ trivial name ”) of the type species of every genus, the name of which was placed on the *Official List of Generic Names in Zoology*, if the oldest available name for the species concerned, and, if that name was not considered the oldest such name, to place on this *Official List* whatever that name may be. No progress was made in the required review of the *Opinions* included in the present volume during the period between the Paris (1948) and Copenhagen (1953) International Congresses of Zoology, for the whole of that period was taken up with the preparation and publication of the Official Records of the Paris Congress, with the publication of applications on individual problems in the *Bulletin of Zoological Nomenclature*, with the issue of Voting Papers on the applications so published, and, during the last eighteen months before the opening of the Copenhagen Congress, with preparations for the discussions on nomenclature arranged to take place during, and immediately before, that Congress both at Meetings of the International Commission and of the Colloquium on Zoological Nomenclature which had been summoned by the International Trust for Zoological Nomenclature. Further General Directives were imposed upon the Commission by the Copenhagen Congress in relation to the placing on the *Official Lists* and *Official Indexes* then established the names of taxa belonging to the family-group and higher categories. The same Congress established an *Official List of Works Approved as Available for Zoological Nomenclature* and a corresponding *Official Index of Rejected and Invalid Works in Zoological Nomenclature*, and instructed the Commission to place on this *List* and *Index* the title of every book or paper which it might either validate or declare to be available for zoological nomenclature or, as the case might be, suppress or otherwise reject for nomenclatorial purposes. As in the case of the Directives issued by the Paris Congress, these Directives were retrospective in effect. Each of these Directives necessitated therefore a further review of the Rulings given in the *Opinions* comprised in

the present volume in order to bring the Rulings given in them fully into line with the Directives issued by the Congress.

3. In the early part of 1954 two decisions were taken affecting the procedure to be adopted for giving effect to the instructions received from the Congress in regard to the review of *Opinions* published prior to the Paris Session of the Commission. First, it was decided to take decisions forthwith on all the matters covered by the foregoing instructions with the exception of questions relating to family-group names based upon the names of genera placed on the *Official List of Generic Names in Zoology* by Rulings given in *Opinions* adopted prior to the Copenhagen Congress, this exception being made because the paucity of information regarding the literature relating to family-group names made it likely that the preparation of proposals on this subject for submission to the Commission would require a much longer period than would the preparation of proposals needed to secure compliance with the other Directives issued to the Commission by the Congress. Second, it was decided (a) that from that time onwards no *Opinion* should be issued until, subject to the qualification noted above, all the Directives issued by the Congress had been duly complied with, and (b) that as regards subjects dealt with in *Opinions* already published the decisions taken should be incorporated in the volume concerned. At the same time it was decided to press on as rapidly as possible with the taking of decisions in relation to family-group-name problems involved and to promulgate decisions in regard thereto in whatever might at the date in question be the current volume in the present series.

4. In conformity with the decisions described in the preceding paragraph the Commission has now adopted Rulings on all the matters there discussed and in consequence the decisions recorded in the present volume in relation to individual nomenclatorial problems have been brought up to the same level of completeness as that attained in the later volumes. The Rulings so adopted by the Commission have been embodied in the form of *Directions*. The *Directions* in relation to Rulings adopted by the Commission at its Lisbon Session form the concluding Parts of the present volume. The inconvenience attaching to the fact that inevitably part of the Ruling in any given case is embodied in an *Opinion*

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and part in one of the much later *Directions* has been mitigated, so far as possible, by the very full nature of the subject index now published for the present volume.

5. At the time of the publication of the *Opinions* comprised in the present volume it was the practice of the Commission to render as *Opinions* not only Rulings adopted in relation to particular names and particular books but also Rulings containing authoritative interpretations of the provisions of the *Règles*, though, following a decision taken by the Commission at its Session held in Lisbon in 1935, Rulings of this latter type were no longer included (as had formerly been the practice) in *Opinions* dealing also with individual nomenclatorial problems. By a Directive given to the Commission by the Paris Congress no Ruling interpreting a provision in the *Règles* has since been rendered in an *Opinion*, all such Rulings having been promulgated in the "*Declarations*" Series, which that Congress directed should in future be reserved for that purpose. Thus, if the foregoing procedure had been in force at the time of the preparation of the present volume, the eight Rulings relating to the interpretation of the *Règles* there rendered as *Opinions* would have appeared in the form of *Declarations*.

6. Since the adoption at Lisbon in 1935 of the Rulings relating to the interpretation of the *Règles* given in the *Opinions* included in the present volume, the *Règles* themselves have been the subject of extensive reforms carried out by the Paris (1948) and Copenhagen (1953) International Congresses of Zoology. In most cases the foregoing Rulings were incorporated in the *Règles* by the first of these Congresses, but in certain instances reforms carried through by that Congress or by the Copenhagen Congress have led to the repeal, in whole or in part, of the Rulings given in those *Opinions*. In these circumstances, it would, it is considered, be undesirable to conclude the present volume without giving an account of the present provisions in the *Règles* in relation to the questions dealt with in the foregoing *Opinions*. A summary of the post-Lisbon development of the *Règles* in regard to these matters is accordingly given in Appendix 1 to the present volume. Similar information regarding the contents of the three *Declarations* included in the present volume is given in Appendix 2.

7. In four of the *Opinions* included in the present volume the Rulings given by the Commission were of a provisional character only. Particulars of subsequent developments in these cases are given in Appendix 3.

8. Miss Joan Kelley, B.Sc., by whom the indexes for volumes 2 to 6 of this series have been prepared, has recently intimated that pressure of other work will make it impossible for her to continue to act as Indexer for the Commission. The Trust has received this notification with great regret and desires to express its grateful thanks to her for the valuable work which she has performed in this field. The first draft of the index to the present volume was prepared by Miss Kelley before she relinquished her appointment. For the revision and completion of this index the Trust has to thank Mrs. J. H. Newman, one of the senior members of the Secretariat of the Commission.

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on Zoological Nomenclature*

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25th January 1955

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**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 18. Pp. i-viii.

DECLARATION 10

On the importance of forming specialist groups for the study of the nomenclature of particular divisions of the Animal Kingdom

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1944

Price one shilling and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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* This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).



DECLARATION 10.

ON THE IMPORTANCE OF FORMING SPECIALIST GROUPS FOR THE STUDY OF THE NOMENCLATURE OF PARTICULAR DIVISIONS OF THE ANIMAL KINGDOM.

DECLARATION.—The International Commission on Zoological Nomenclature earnestly hope that specialists in particular groups of the Animal Kingdom will organise themselves for the study of nomenclature in the same way as has been done in the case of entomology and more recently in the case of ornithology. The International Commission attach great weight to recommendations submitted by groups of specialists so formed ; but they feel bound to reserve to themselves the right in all cases of deciding whether recommendations so submitted are in conformity with the spirit of the Code and are within the powers granted to the Commission at successive meetings of the International Congress of Zoology.

At their meeting held at Lisbon on Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 7), Commissioner Karl Jordan (*President of the Commission*) made a report on the work done by the International Committee on Entomological Nomenclature (of which he was the Secretary) at their Session held at Madrid during the Sixth International Congress of Entomology that had just closed. Arising out of the discussion on the President's report, the Commission (Lisbon Session, 2nd Meeting, Conclusion 8) :—

- (a) recorded their earnest hope that specialists in particular groups of the Animal Kingdom would organise themselves for the study of nomenclature in the same way as had been done in the case of entomology and more recently in the case of ornithology ;
- (b) agreed to attach great weight to recommendations submitted by groups of specialists so formed ; but
- (c) felt bound to reserve to themselves the right in all cases of deciding whether recommendations so submitted were in conformity with the spirit of the Code and were within the powers granted to the Commission at successive meetings of the International Congress of Zoology.

2. The foregoing decision was embodied in paragraph 13 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the

Twelfth International Congress of Zoology. This report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

3. The present *Declaration* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.
 Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

4. The present *Declaration* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were neither present at Lisbon nor represented thereat by Alternates did not vote on the present *Declaration*:—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

AUTHORITY FOR THE ISSUE OF THE PRESENT DECLARATION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the International Commission as soon as a majority of the Members of the said Commission, that is to say ten (10) Members of the said Commission have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS it has been decided that *Opinions* dealing with certain classes of subject are to be rendered under the title "*Declaration*" in lieu of the title "*Opinion*," and that the rules in the By-Laws relating to the rendering of *Opinions* shall apply in like manner to the rendering of *Declarations*;

WHEREAS the present *Declaration* neither requires, to be valid, the suspension of the rules, nor involves a reversal of any previous *Declaration* or other *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Declaration* either personally or through Alternates at the Session of the Commission held in Lisbon in September 1935;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Declaration* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Declaration* Number Ten (*Declaration* 10) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Declaration*.

DONE in London, this eighteenth day of June, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

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- (a) proposals on zoological nomenclature submitted to the Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above : and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Three Parts have so far been published : Part 1 (introductory, including an account of the functions and powers of the Commission and a summary of the work so far achieved) ; Part 2 (relating to the financial position of the Commission) ; Part 3 (containing the official records of the decisions taken by the Commission at their meeting at Lisbon in 1935).

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Volume 2 commences with *Declaration* 10 and *Opinion* 134. Parts 1-21 (containing *Declarations* 10 and 11 and *Opinions* 134-152) have so far been published. The titles of these *Opinions* are given on the wrappers to Parts 1 and 2 of the *Bulletin*. Other Parts will be published shortly.

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The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purpose for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the "International Commission on Zoological Nomenclature" and crossed "Account payee. Coutts & Co."

PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 19. Pp. ix-xvi.

DECLARATION 11

On the need for a clear indication in the
description of new genera and species of the
Order and Family involved

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1944

Price one shilling and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION OF THE COMMISSION

The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (United Kingdom).
Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).
Assistant Secretary : Dr. James L. Peters (U.S.A.).

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Herr Professor Dr. Walter ARNDT (Germany).
Dr. William Thomas CALMAN (United Kingdom).
Professor Teiso ESAKI (Japan).
Professor Béla von HANKÓ (Hungary).
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(vacant).*

Class 1949

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Secretariat of the Commission :

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Publications Office of the Commission :

41, Queen's Gate, London, S.W. 7.

Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.

* This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).



DECLARATION 11.

ON THE NEED FOR A CLEAR INDICATION IN THE DESCRIPTION OF NEW GENERA OR SPECIES OF THE ORDER AND FAMILY INVOLVED.

DECLARATION.—It is highly desirable that every author when publishing a new description should indicate clearly to what Order and Family the genus or species so described belongs. Editors of zoological journals and authors of zoological papers are particularly invited to comply with this requirement.

At their meeting held at Lisbon on Monday, 16th September 1935, the International Commission on Zoological Nomenclature had under consideration the following resolution adopted by the International Committee on Entomological Nomenclature at their meeting held in Paris in 1932 and later confirmed by Section VIII (Section on Nomenclature) of the Fifth International Congress of Entomology and by the said Congress in Concilium Plenum on the presentation of the report of the Secretary of the Executive Committee :—

Descriptions isolées

Les auteurs de descriptions sont priés d'indiquer dans chaque travail l'ordre et la famille des insectes décrits.

2. The International Commission found themselves in complete agreement with the object sought by the International Congress of Entomology, but considered that the scope of the decision desired should be extended to cover descriptions of new genera and species throughout the Animal Kingdom. The International Commission accordingly agreed (Lisbon Session, 2nd Meeting, Conclusion 16) :—

that it was highly desirable that every author when publishing a new description should indicate clearly to what Order and Family the genus or species so described belonged and that this matter should be brought to the attention of editors of zoological journals and of authors of zoological papers.

3. At their meeting held on Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 17) Commissioner Francis Hemming who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with

the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in the report.

4. The question dealt with in the present *Declaration* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the Commission as set out in paragraph 3 above.

5. The present *Declaration* was concurred in by the twelve (12)

Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

6. The present *Declaration* was dissented from by no Commissioner or Alternate present at the Lisbon Session. The following five (5) Commissioners who were neither present at Lisbon nor represented thereat by Alternates did not vote on the present *Declaration* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

AUTHORITY FOR THE ISSUE OF THE PRESENT *DECLARATION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the International Commission as soon as a majority of the Members of the said Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS it has been decided that *Opinions* dealing with certain classes of subject are to be rendered under the title “*Declaration*” in lieu of the title “*Opinion*” and that the rules in the By-Laws relating to the rendering of *Opinions* shall apply in like manner to the rendering of *Declarations*; and

WHEREAS the present *Declaration* neither requires, to be valid, the suspension of the rules nor involves a reversal of any previous *Declaration* or other *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Declaration* either in person or

through Alternates at the Session of the Commission held in Lisbon in September 1935;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Declaration* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Declaration* Number Eleven (*Declaration II*) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Declaration*.

DONE in London, this nineteenth day of June, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
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ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 22. Pp. xvii-xxiv.

DECLARATION 12

On the question of breaches of the Code
of Ethics (*Declaration supplementary to
Declaration 1*)

LONDON:

Printed by Order of the International Commission on
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Sold at the Publications Office of the Commission
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1944

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* This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former *Secretary to the Commission* (1897-1935).

DECLARATION 12.

ON THE QUESTION OF BREACHES OF THE CODE OF ETHICS (*DECLARATION SUPPLEMENTARY TO DECLARATION 1*).

DECLARATION.—While re-affirming their fullest support of the Resolution adopted on their recommendation by the Ninth International Congress of Zoology at its meeting held at Monaco in 1913, laying down a Code of Ethics to be observed by zoologists before publishing substitutes for generic or specific names that are unavailable under Articles 34 and 36 of the Code, in those cases where the author of the name to be so replaced is still alive, the International Commission on Zoological Nomenclature are of the considered opinion that the question whether the Code of Ethics has been duly complied with in any given case is not a matter on which they are authorised to enter.

On 4th June 1935 Professor Dr. Eduard Handschin, President of the Schweizerische entomologische Gesellschaft addressed a letter to the International Commission on Zoological Nomenclature containing proposals for certain action to be taken where it could be shown that a given author had repeatedly and deliberately violated the Code of Ethics (*Declaration 1*). The discussion of this question had originated with the Verein Entomologia Zürich which at their meeting held on 24th April 1935 had adopted a resolution in which the Society had drawn attention to a case where, in the judgment of the Society, a particular author had violated the Code of Ethics in this way. At the same time Verein Entomologia Zürich had formulated certain proposals for action to be taken by the International Commission on Zoological Nomenclature to meet the situation so created. In the same resolution the Society agreed that the resolutions which they had adopted in regard to this matter should be transmitted to the Schweizerische entomologische Gesellschaft with a request that that body should forward it to the International Commission. The proposals of the Verein Entomologia Zürich were embodied in an explanatory memorandum which on the following day (25th April 1935) was signed by Professor Dr. J. G. Lautner, President of the Society. This memorandum was duly forwarded to the Schweizerische entomologische Gesellschaft which, at its

annual meeting held on 19th May 1935, decided to support the action proposed by the Verein Entomologia Zürich and to forward the resolutions adopted by that body to the International Commission on its own behalf as well as on that of the Verein Entomologia Zürich. With his letter to the Commission of 4th June 1935 Professor Handschin enclosed a copy of the document prepared by the Verein Entomologia Zürich duly endorsed by himself on behalf of the Schweizerische entomologische Gesellschaft.

2. Copies of the documents referred to above were transmitted by Dr. C. W. Stiles, Secretary to the Commission, to each Member of the Commission in July 1935. Dr. Stiles suggested that this question should be discussed by the Commission at their meeting due to be held at Lisbon in September of that year.

3. This question was considered by the Commission at their meeting held at Lisbon on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 24). In the discussion which ensued it was clear that no member of the Commission had any sympathy for persons who disregarded the Code of Ethics. It was generally felt, however, that the International Commission was not in a position to hold inquiries into alleged breaches of the Code even if they possessed (which they did not at present) the power to act in a judicial capacity in such cases. The Commission accordingly agreed :—

to re-affirm their fullest support of the Resolution adopted on their recommendation by the Ninth International Congress of Zoology at its meeting held at Monaco in 1913, laying down a Code of Ethics to be observed by zoologists before publishing substitutes for generic or specific names that are unavailable under Articles 34 and 36 of the Code, in those cases where the author of the name to be so replaced is still alive; but at the same time to record their considered opinion that the question whether the Code of Ethics had been duly complied with in any given case was not a matter on which they were authorised to enter.

4. At their meeting held on Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that

he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming and adopted the proposals submitted by him, as recorded above, in regard to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in that report.

5. The question dealt with in the present *Declaration* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the Commission as set out in paragraph 4 above.

6. The present *Declaration* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

7. The present *Declaration* was dissented from by no Commissioner or Alternate present at the Lisbon Session. The following five (5) Commissioners who were neither present at Lisbon nor represented thereat by Alternates did not vote on the present *Declaration* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

AUTHORITY FOR THE ISSUE OF THE PRESENT *DECLARATION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the International Commission as soon as a majority of the Members of the said Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS it has been decided that *Opinions* dealing with certain classes of subject are to be rendered under the title "*Declaration*" in lieu of the title "*Opinion*" and that the rules in the By-Laws relating to the rendering of *Opinions* shall apply in like manner to the rendering of *Declarations*; and

WHEREAS the present *Declaration* neither requires, to be valid, the suspension of the rules nor involves a reversal of any previous *Declaration* or other *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Declaration* either in person or through Alternates at the Session of the Commission held in Lisbon in September 1935;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by virtue of holding the said Office of the Secretary to the International Commission, hereby announce the said *Declaration* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as

Declaration Number Twelve (*Declaration* 12) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Declaration*.

DONE in London, this twentieth day of June, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of:—

- (a) proposals on zoological nomenclature submitted to the Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Parts 1-3 of Volume 1 have so far been published.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

Parts 1-12 of Volume 1 (containing *Declarations* 1-9 and *Opinions* 1-3) have so far been published.

Parts 1-25 of Volume 2 (containing *Declarations* 10-12 and *Opinions* 134-155) have so far been published.

Additional Parts of both Volumes will be published shortly.

AN URGENT APPEAL FOR A FUND OF £1800 TO ENABLE THE INTERNATIONAL COMMISSION TO CONTINUE ITS WORK

The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology; to Learned Societies and Associations concerned with any aspect of zoology; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the "International Commission on Zoological Nomenclature" and crossed "Account payee. Coutts & Co."

**OPINIONS RENDERED BY THE
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2

(pp. 1-6)

OPINION 134

On the method to be adopted in interpreting
the Generic Names assigned by Freyer to
species described in his *Neuere Beiträge zur
Schmetterlingskunde*, 1833-1858

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Secretariat of the Commission
British Museum (Natural History), Cromwell Road, London, S.W.7

1939

Price eight pence

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NOTE :—Opinions One to One Hundred and Thirty-Three (Opinions 1-133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself, owing to lack of funds. Through the intermediary of Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions of the Commission in the *Smithsonian Miscellaneous Collections*. Unfortunately, all except a few of the most recent of the above Opinions are now out of print, and are therefore no longer obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of *Opinions Rendered by the International Commission on Zoological Nomenclature*.



Printed by Richard Clay and Company, Ltd.,
Bungay, Suffolk.

OPINION 134.

ON THE METHOD TO BE ADOPTED IN INTERPRETING THE GENERIC NAMES ASSIGNED BY FREYER TO SPECIES DESCRIBED IN HIS *NEUERE BEITRÄGE ZUR SCHMETTERLINGSKUNDE*, 1833-1858.

SUMMARY.—In interpreting the generic names assigned by Freyer in his *Neuere Beiträge zur Schmetterlingskunde* to the species there described, each species is to be regarded as having been described by Freyer as belonging to the genus cited by him at the head of the description and not to the genus with which he actually associated the specific name.

I.—THE STATEMENT OF THE CASE.

At the Fifth International Congress of Entomology held in Paris in July, 1932, Section VIII of the Congress (the Section on Nomenclature) appointed a special Committee for the duration of the Congress to consider questions of nomenclature of special interest to entomologists. Prior to the close of the Congress this Committee submitted to Section VIII a series of Draft Resolutions, one of which read as follows :—

“ Les noms spécifiques de Freyer doivent être regardés comme liés aux noms des genres énumérés par lui et non pas aux noms des grandes divisions de Linné; par exemple, il faut citer *Hipparchia eriphyle* Freyer, non *Papilio eriphyle* Freyer.”

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. The foregoing Resolution was unanimously adopted by Section VIII of the Congress, which agreed to submit it and certain other Resolutions to the Plenary Session of the Congress, for transmission to the International Committee on Entomological Nomenclature. At the Plenary Session of the Congress, this Resolution was adopted in the manner proposed, and it was accordingly thereby referred to the International Committee.

3. This question was carefully considered by the International Committee on Entomological Nomenclature in September, 1935, at their Meeting held in Madrid during the Meeting of the Sixth

International Congress of Entomology; and the Committee agreed to submit to the International Commission on Zoological Nomenclature a recommendation supporting the Resolution set out in paragraph 1 above, and expressing the hope that the Commission at their next Meeting would agree to render an Opinion in the sense of the said Resolution.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

4. The International Commission on Zoological Nomenclature gave consideration to this question later in September, 1935, at their Meeting held in Lisbon during the Meeting of the Twelfth International Zoological Congress. At this Meeting the International Commission unanimously adopted the following Resolution which was incorporated in their Report to the International Zoological Congress as paragraph 16 thereof:—

“ 16. *On the method to be adopted in interpreting the generic names assigned by Freyer to species described in his Neuere Beiträge zur Schmetterlingskunde, 1833–1858.*—In interpreting the generic names assigned by Freyer in his *Neuere Beiträge zur Schmetterlingskunde* to the species there described, each species is to be regarded as having been described by Freyer as belonging to the genus cited by him at the head of each description and not to the genus with which he actually associated the specific name. For example, Freyer described, under the genus *Hipparchia* Fabricius, a species to which he gave the specific name *eriphyle*, and which he proceeded to name *Papilio eriphyle* Freyer. Freyer is to be deemed to have described this species under the name *Hipparchia eriphyle* and not under the name *Papilio eriphyle*.”

5. The Report of the International Commission containing the foregoing paragraph was unanimously adopted at the Meeting of the Commission held on the morning of Wednesday, 18th September, 1935; and by the Section on Nomenclature at their Meeting held on the afternoon of the same day. The Report was accordingly submitted to the International Zoological Congress by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September, 1935, the last day of the Congress.

6. In view of the possibility that it might be held that the Opinion as set out in the extract from the Commission's Report quoted in paragraph 4 above might require, in order to be valid, the Suspension of the Rules, the intention of the Commission to render an Opinion in the said terms was duly advertised in 1936 in two or more of the zoological journals named in the Resolution adopted by the Ninth International Zoological Congress held at Monaco in March, 1913, by which the

International Congress conferred upon the International Commission on Zoological Nomenclature Plenary Power to suspend the Rules as applied to any given case where in the opinion of the Commission the strict application of the Rules would clearly result in greater confusion than uniformity.

7. In the period which has elapsed since the announcement in the said zoological journals of the proposed Suspension of the Rules in the manner indicated, no communication of any kind has been addressed to the International Commission objecting to the issue of an Opinion in the terms proposed.

8. The Opinion as set out in the extract from the Commission's Report quoted in paragraph 4 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.
 Alternates :—do Amaral *vice* Cabrera; Oshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

9. The Opinion referred to above was dissented from by no Commissioner or Alternate.

10. The following five (5) Commissioners who were neither present at the Lisbon Meeting of the International Commission nor were represented thereat by Alternates did not vote on the above Opinion :—Bolívar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the Sixth International Zoological Congress at its Meeting held in Monaco in March, 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Zoological Congress, Plenary Power to suspend the Rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said Rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible Suspension of the Rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the

Commission was unanimously in favour of the proposed Suspension of the Rules; and

WHEREAS it might be held that the present Opinion might require, in order to be valid, the Suspension of the Rules; and

WHEREAS, in order to provide for the said contingency, not less than one year's notice of the possible Suspension of the Rules as applied to the present case has been given in two or more of the journals referred to in the said Resolution adopted by the Sixth International Congress at its Meeting held in Monaco in March, 1913; and

WHEREAS the vote in the Commission at their Lisbon Meeting was unanimously in favour of the issue of an Opinion in the terms of the present Opinion;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Zoological Congress, and direct that it be rendered and printed as Opinion Number One Hundred and Thirty-Four (Opinion 134) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this thirtieth day of June, Nineteen Hundred and Thirty-Nine, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

**OPINIONS RENDERED BY THE
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by
FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2
(pp. 7-12)

OPINION 135

The suppression of the so-called "Erlangen List"
of 1801

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Secretariat of the Commission
British Museum (Natural History), Cromwell Road, London, S.W.7

1939

Price eight pence

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NOTE :—Opinions One to One Hundred and Thirty-Three (Opinions 1-133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself, owing to lack of funds. Through the intermediary of Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions of the Commission in the *Smithsonian Miscellaneous Collections*. Unfortunately, all except a few of the most recent of the above Opinions are now out of print, and are therefore no longer obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of *Opinions Rendered by the International Commission on Zoological Nomenclature*.



OPINION 135.

THE SUPPRESSION OF THE SO-CALLED "ERLANGEN LIST" OF 1801.

SUMMARY.—The so-called "Erlangen List" of 1801 is to be treated as though it had never been published.

I.—THE STATEMENT OF THE CASE.

At the Fifth International Congress of Entomology held in Paris in July, 1932, Section VIII of the Congress (the Section on Nomenclature) appointed a special Committee for the duration of the Congress to consider questions of nomenclature of special interest to entomologists. Prior to the close of the Congress this Committee submitted to Section VIII a series of Draft Resolutions, one of which read as follows :—

" Le Congrès propose à la Commission pour la Nomenclature zoologique de supprimer les noms génériques de la soi-disant Liste d'Erlangen de 1801, parce que l'acceptation de ces noms bouleverserait la nomenclature des Hyménoptères."

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. The foregoing Resolution was unanimously adopted by Section VIII of the Congress, which agreed to submit it and certain other Resolutions to the Plenary Session of the Congress, for transmission to the International Committee on Entomological Nomenclature. At the Plenary Session of the Congress, this Resolution was adopted in the manner proposed, and it was accordingly thereby referred to the International Committee.

3. This question was carefully considered by the International Committee on Entomological Nomenclature in September, 1935, at their Meeting held in Madrid during the Meeting of the Sixth International Congress of Entomology; and the Committee agreed to submit to the International Commission on Zoological Nomenclature a recommendation supporting the Resolution set out in paragraph 1 above, and expressing the hope that the Commission at their next Meeting would agree to render an Opinion in the sense of the said Resolution.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

4. The International Commission on Zoological Nomenclature gave consideration to this question later in September, 1935, at their Meeting held in Lisbon during the Meeting of the Twelfth International Zoological Congress. At this Meeting the International Commission unanimously adopted the following Resolution which was incorporated in their Report to the International Zoological Congress as paragraph 17 thereof:—

“17. *Suppression of the so-called ‘Erlangen List’ of 1801.*—The International Commission have had under consideration the anonymous pamphlet dealing with the generic classification of the Hymenoptera, which was published in 1801 under the title *Nachricht von Einem neuen entomologischen (sic) Werke des Hrn. Prof. JURINE in Geneve*, and which is commonly known as the ‘Erlangen List’. The International Commission are convinced that the adoption of the names contained in this pamphlet in accordance with the strict application of the rules would clearly result in greater confusion than uniformity. Acting, therefore, in virtue of the plenary powers conferred upon them at the Monaco session of the International Zoological Congress, the International Commission hereby declare that the so-called ‘Erlangen List’ is to be treated as though it had never been published. Consequential on the above, it should be understood that where subsequently any author published a genus having the same name as one of the genera proposed in the ‘Erlangen List’, the later published name is not to be regarded as a homonym by reason of the earlier publication of that name in the ‘Erlangen List’.”

5. The Report of the International Commission containing the foregoing paragraph was adopted unanimously at the Meeting of the Commission held on the morning of Wednesday, 18th September, 1935; and by the Section on Nomenclature at the Meeting held on the afternoon of the same day. The Report was accordingly submitted to the International Zoological Congress by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September, 1935, the last day of the Congress.

6. In view of the possibility that it might be held that the Opinion as set out in the extract from the Commission's Report quoted in paragraph 4 above might require, in order to be valid, the Suspension of the Rules, the intention of the Commission to render an Opinion in the said terms was duly advertised in 1936 in two or more of the zoological journals named in the Resolution adopted by the Ninth International Zoological Congress held at Monaco in March, 1913, by which the International Congress conferred upon the International Commission on Zoological Nomenclature Plenary Power to suspend the Rules as applied

to any given case where in the opinion of the Commission the strict application of the Rules would clearly result in greater confusion than uniformity.

7. In the period which has elapsed since the announcement in the said zoological journals of the proposed Suspension of the Rules in the manner indicated, no communication of any kind has been addressed to the International Commission objecting to the issue of an Opinion in the terms proposed.

8. The Opinion as set out in the extract from the Commission's Report quoted in paragraph 4 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Oshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

9. The Opinion referred to above was dissented from by no Commissioner or Alternate.

10. The following five (5) Commissioners who were neither present at the Lisbon Meeting of the International Commission nor were represented thereat by Alternates did not vote on the above Opinion :—Bolívar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the Sixth International Zoological Congress at its Meeting held in Monaco in March, 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Zoological Congress, Plenary Power to suspend the Rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said Rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible Suspension of the Rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed Suspension of the Rules; and

WHEREAS it might be held that the present Opinion might require, in order to be valid, the Suspension of the Rules; and

WHEREAS, in order to provide for the said contingency, not less than one year's notice of the possible Suspension of the Rules as applied to the present case has been given in two or more of the journals referred to in the said Resolution adopted by the Sixth International Congress at its Meeting held in Monaco in March, 1913; and

WHEREAS the vote in the Commission at their Lisbon Meeting was unanimously in favour of the issue of an Opinion in the terms of the present Opinion;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Zoological Congress, and direct that it be rendered and printed as Opinion Number One Hundred and Thirty-Five (Opinion 135) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this thirtieth day of June, Nineteen Hundred and Thirty-Nine, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

OPINIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2

(pp. 13-20)

OPINION 136

Opinion supplementary to Opinion 11 on the interpretation of Latreille's *Considérations générales sur l'ordre naturel des animaux composant les classes des Crustacés, des Arachnides et des Insectes avec un tableau méthodique de leurs genres disposés en familles*, Paris, 1810

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Secretariat of the Commission

British Museum (Natural History), Cromwell Road, London, S.W.7

1939

Price one shilling

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NOTE :—Opinions One to One Hundred and Thirty-Three (Opinions 1-133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself, owing to lack of funds. Through the intermediary of Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions of the Commission in the *Smithsonian Miscellaneous Collections*. Unfortunately, all except a few of the most recent of the above Opinions are now out of print, and are therefore no longer obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of *Opinions Rendered by the International Commission on Zoological Nomenclature*.



OPINION 136.

OPINION SUPPLEMENTARY TO OPINION 11 ON THE INTERPRETATION OF LATREILLE'S CONSIDERATIONS GENERALES SUR L'ORDRE NATUREL DES ANIMAUX COMPOSANT LES CLASSES DES CRUSTACES, DES ARACHNIDES ET DES INSECTES AVEC UN TABLEAU METHODIQUE DE LEURS GENRES DISPOSES EN FAMILLES, PARIS, 1810.

SUMMARY.—Opinion 11 of the International Commission, which directs that the “table des genres avec l'indication de l'espèce qui leur sert de type”, which is attached to Latreille's *Considérations générales* of 1810, should be accepted as constituting a designation, under Article 30 of the Code, of the types of the genera in question, applies only to those genera there cited by Latreille in which he placed one only of the species included in the genus by the original author thereof.

I.—THE STATEMENT OF THE CASE.

This question was first brought forward by Commissioner Francis Hemming who, in 1935, submitted the following statement to the International Committee on Entomological Nomenclature at their Meeting held in Madrid during the Meeting of the Sixth International Congress of Entomology:—

“I found considerable difficulty in interpreting Opinion 11 rendered by the International Commission when I came to consider Latreille's *Considérations générales* in the course of preparing the first volume of my *Generic Names of the Holarctic Butterflies* (published in July, 1934). In Part I of that volume I pointed out (on page 14) that without further explanation it was not possible strictly to apply the provision in that Opinion that the ‘table des genres avec l'indication de l'espèce qui leur sert de Type’ appended by Latreille at the end of his *Considérations générales sur l'ordre naturel des animaux composant les classes des Crustacés, des Arachnides et des Insectes avec un tableau méthodique de leurs genres disposés en familles*, Paris 1810, are to be accepted as ‘designation of types of the genera in question.’ Of the seventeen butterfly genera given by Latreille on page 440 of his work a single species is given for six genera, two or more species are given for eight genera, while a special form of notation (referred to below) was employed by Latreille for the three remaining genera. Opinion 11 of the International Commission is clearly applicable to the seven genera for which a single species only is given, except in such cases as the type may have already been fixed by some previous author (e.g. *Thais* Fabricius, 1807, where the type was fixed from the date of first publication through the action of Fabricius in placing

a single species only in the said genus). The three genera for which Latreille adopted the special notation referred to above are *Cethosia* Fabricius, 1807, *Argynnis* Fabricius, 1807, and *Papilio* Linnaeus, 1758. In these cases Latreille, after indicating the type species, added a second species preceded by the word 'ejusd.' by which he appears to have intended to indicate that the said second species also belonged to the genus but was not the type.

"The eight genera for which Latreille specified no one species as type but to which he allotted two or more species are in an entirely different position. Opinion 11 of the Commission (published in July, 1910) is not applicable to such names and, indeed, in relation to them has no meaning, since obviously it is impossible for both of two (often only distantly related) species to be the type of any given genus.

"I feel sure that the present ambiguity in the wording of Opinion 11 is the result of inadvertence only, but clearly the position must be clarified. I consider that this could best be done by the International Commission on Zoological Nomenclature rendering an Opinion supplementary to Opinion 11 directing that the provisions of Opinion 11 apply only to those genera there cited by Latreille in which he placed one only of the species included in the genus by the original author thereof. An Opinion so worded would have the great advantage that it would provide a clear-cut decision in every type of case which could arise in the interpretation of Latreille's *Table des genres*, namely:—

"(i) Cases where Latreille placed in a genus in his *Table* one species only, and that species is one of the species included in the said genus by the original author thereof.

"In the above case the species placed in the genus by Latreille would, under the Opinion proposed, become the type of the said genus.

"(ii) Cases where Latreille placed in a genus in his *Table* (a) one only of the species included in the genus by the original author thereof, together with (b) one or more species not included in the said genus by the original author thereof.

"In the above case the species which was included in the genus by the original author thereof and which alone of those species was placed in the said genus by Latreille in his *Table* would, under the Opinion proposed, become the type of the said genus.

"(iii) Cases where Latreille placed in a genus in his *Table* two or more of the species included in the said genus by the original author thereof, either accompanied or not by one or more species not placed in the said genus by the original author thereof.

"In the above case no type determination would, under the Opinion proposed, have been made by Latreille in his *Table*, since in that *Table* he included more than one of the species included in the genus by the original author thereof.

"(iv) Cases where Latreille placed in a genus in his *Table* none of the species included in the said genus by the original author thereof, the only species (either one or more in number) placed in the said genus by Latreille being species not included in the said genus by the original author thereof.

"In the above case no type determination would, under the Opinion proposed, have been made by Latreille in his *Table*, since none of the species included in the genus by the original author thereof was included also by Latreille in the said genus.

"Finally it is of course to be understood that the provisions of the proposed Opinion would apply only to those genera in respect of which no valid type determination had been effected prior to the publication of Latreille's *Considérations générales* of 1810."

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. The International Committee on Entomological Nomenclature at their Madrid Meeting endorsed the views which Commissioner Hemming had laid before them on the subject, and agreed to submit to the International Commission on Zoological Nomenclature a recommendation supporting the proposals set out in the statement prepared by Commissioner Hemming set out in paragraph 1 above, and expressing the hope that the Commission at their next Meeting would agree to render an Opinion in the sense indicated above.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

3. The International Commission on Zoological Nomenclature gave consideration to this question later in September, 1935, at their Meeting held in Lisbon during the Meeting of the Twelfth International Zoological Congress. At this Meeting the International Commission approved the proposal submitted and unanimously adopted the following Resolution which was incorporated in their Report to the International Zoological Congress as paragraph 18 thereof:—

“ 18. *Supplementary opinion on the interpretation of Latreille's ' Considérations Générales ' of 1810.*—Opinion 11 of the International Commission, which directs that the ‘ table des genres avec l'indication de l'espèce qui leur sert de Type ’, which is attached to Latreille's *Considérations générales* of 1810, should be accepted as constituting a designation, under Article 30 of the Code, of the types of the genera in question, applies only to those genera there cited by Latreille in which he placed one only of the species included in the genus by the original author thereof.”

4. The Report of the International Commission containing the foregoing paragraph was unanimously adopted at the Meeting of the Commission held on the morning of Wednesday, 18th September, 1935; and by the Section on Nomenclature at their Meeting held on the afternoon of the same day. The Report was accordingly submitted to the International Zoological Congress by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September, 1935, the last day of the Congress.

5. The Opinion as set out in the extract from the Commission's Report quoted in paragraph 3 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely:—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Oshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

6. The Opinion referred to above was dissented from by no Commissioner or Alternate.

7. Subsequent to the Lisbon Meeting the following four (4) Commissioners who were neither present at that Meeting nor were represented thereat by Alternates indicated that they desired their names to be added to the list of Commissioners supporting the Opinion adopted at that Meeting :—Chapman; Fantham; Silvestri; and Stiles. Commissioner Bolivar y Peltain was neither present at the Lisbon Meeting nor represented thereat by an Alternate; nor did he subsequently address any communication to the Secretary to the Commission in regard to this subject.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the Rules, an Opinion is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that where any proposed Opinion involves a reversal of any former Opinion rendered by the Commission, such proposed Opinion should require the concurrence of at least fourteen (14) Members of the Commission voting on the same before such Opinion is to be deemed to have been rendered by the Commission; and

WHEREAS it might be held that the proviso set forth above might apply to the present Opinion since the said Opinion is supplementary to an Opinion (Opinion 11) already rendered by the Commission; and

WHEREAS sixteen (16) Members of the Commission have signified their concurrence in the present Opinion, twelve (12) either in person or through Alternates at the Meeting of the Commission held in Lisbon in September, 1935, and four (4) by subsequent adherence to the Resolution adopted in this matter at the said Meeting;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Zoological Congress, and direct that it be rendered and printed as Opinion Number One Hundred and Thirty-Six (136) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this thirtieth day of June, Nineteen Hundred and Thirty-Nine, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

OPINIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2

(pp. 21-28)

OPINION 137

On the relative precedence to be accorded to certain generic names published in 1807 by Fabricius and Hübner respectively for identical genera in the Lepidoptera Rhopalocera

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Secretariat of the Commission

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1939

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NOTE :—Opinions One to One Hundred and Thirty-Three (Opinions 1-133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself owing to lack of funds. Through the intermediary of Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions of the Commission in the *Smithsonian Miscellaneous Collections*. Unfortunately, all except a few of the most recent of the above Opinions are now out of print, and are therefore no longer obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of *Opinions Rendered by the International Commission on Zoological Nomenclature*.



Printed by Richard Clay and Company, Ltd.,
Bungay, Suffolk.

OPINION 137.

ON THE RELATIVE PRECEDENCE TO BE ACCORDED TO CERTAIN GENERIC NAMES PUBLISHED IN 1807 BY FABRICIUS AND HÜBNER RESPECTIVELY FOR IDENTICAL GENERA IN THE LEPIDOPTERA RHOPALOCERA.

SUMMARY.—Unless and until further evidence is forthcoming regarding the precise dates in 1807 on which were published (a) Fabricius's paper on generic names of Lepidoptera in the sixth volume of Illiger's *Magazin für Insektenkunde* and (b) certain plates of Hübner's *Sammlung exotischer Schmetterlinge*, the names proposed by Fabricius shall have precedence over those proposed by Hübner. In the event of evidence later being found to show that Hübner's plates were published before Fabricius's paper, three generic names (as shown in the body of the present Opinion) proposed by Hübner on the said plates are, under Suspension of the Rules, to be suppressed in favour of the names (also given in the body of the present Opinion) proposed by Fabricius for the same genera.

I.—THE STATEMENT OF THE CASE.

This question was first brought forward by Commissioner Francis Hemming who, in 1935, submitted the following statement to the International Committee on Entomological Nomenclature at their Meeting held in Madrid during the Meeting of the Sixth International Congress of Entomology:—

“ In the course of preparing volume 1 of my *Generic Names of the Holarctic Butterflies* I encountered a difficulty in dealing with certain generic names proposed for identical genera by Fabricius in the sixth volume of Illiger's *Magazin für Insektenkunde* and by Hübner on certain plates of his *Sammlung exotischer Schmetterlinge* issued in 1807. There are three pairs of generic names concerned, namely:—

“ (a) *Morpho* Fabricius and *Potamis* Hübner.

“ The type of *Morpho* Fabricius is *Papilio achilles* Linnaeus, 1758, that species having been so specified by Westwood in 1851 (in Doubleday, *Gen. diurn. Lep.* (2) : 341). The type of *Potamis* Hübner is *Potamis leonte* Hübner, [1807], which is a synonym of *Papilio achilles* Linnaeus (see Hemming, 1934, *Gen. Names hol. Butt.* 1 : 50). The genera *Morpho* Fabricius and *Potamis* Hübner are thus identical with one another, the type species being the same in each case.

" This case arises through the decision of the International Commission embodied in Opinion 97 that Hübner's *Tentamen* is invalid. If that work had been valid, the name *Potamis* would have ranked from the *Tentamen* and its type would have been *Papilio iris* Linnaeus, 1758, with the result that it would have replaced the very well-known name *Apatura* Fabricius, 1807.

" (b) *Helicopsis* Fabricius and *Rusticus* Hübner.

" The type of *Helicopsis* Fabricius is *Papilio cupido* Linnaeus, 1758, that species having been so specified by Scudder in 1875 (*Proc. amer. Acad. Arts Sci.*, Boston **10**: 186). The type of *Rusticus* Hübner is *Papilio gnidus* Fabricius, 1787 (see Hemming, 1934, *Gen. Names hol. Butt.* **1**: 98), a species which is congeneric with *Papilio cupido* Linnaeus, the type of *Helicopsis* Fabricius.

" This case arises through the decision of the International Commission, embodied in Opinion 97, that Hübner's *Tentamen* is invalid. If that work had been valid, the name *Rusticus* would have ranked from the *Tentamen* and its type would have been *Papilio argus* Linnaeus (i.e. a species of LYCAENIDAE and not a species of RIODINIDAE to which *Papilio gnidus* Fabricius belongs). The name *Rusticus* Hübner would in that event have been a synonym of *Plebejus* Kluk, 1802.

" (c) *Pontia* Fabricius and *Mancipium* Hübner.

" The type of *Pontia* Fabricius is *Papilio daphidice* Linnaeus, 1758, that species having been so specified by Curtis in 1824 (*Brit. Entom.* **1**, pl. 48). The type of *Mancipium* Hübner is *Papilio hellica* Linnaeus, 1767 (= *Papilio helice* Linnaeus, 1764) (see Hemming, 1934, *Gen. Names hol. Butt.* **1**: 130), a species which is congeneric with *Papilio daphidice* Linnaeus, the type of *Pontia* Fabricius.

" This case arises through the decision of the International Commission, embodied in Opinion 97, that Hübner's *Tentamen* is invalid. If that work had been valid, the name *Mancipium* would have ranked from the *Tentamen* and its type would have been *Papilio brassicae* Linnaeus. In that event *Mancipium* Hübner would therefore have been a synonym of *Pieris* Schrank, 1801.

" There is no evidence to show which of the sets of three names were the first to be published, whether the three names published by Hübner or the three names published by Fabricius. What is, however, self-evident is the need for an authoritative declaration as to which set of names is to be treated as having priority over the other.

" If preference were to be given to the three names proposed by Hübner, the name *Potamis* Hübner would replace the very well-known name *Morpho* Fabricius which provides the name for the Family MORPHIDAE; the name *Rusticus* Hübner (hitherto always employed for a genus of LYCAENIDAE) would be transferred to the RIODINIDAE and would replace the very well-known name *Helicopsis* Fabricius; and the name *Mancipium* Hübner would replace the very well-known name *Pontia* Fabricius, thus causing a very confusing transfer of names in the Family PIERIDAE. If, on the other hand, preference were to be given to the three names proposed by Fabricius, the very well-known generic names *Morpho* Fabricius, *Helicopsis* Fabricius, and *Pontia* Fabricius would all be retained in their accustomed sense, while the three Hübnerian names would all disappear as synonyms, a result which would prevent their being used in a sense quite different from that in which (owing to the *Tentamen*) they have hitherto been used by such authors as have employed them at all.

" To sum up, the Fabrician names are well known and in common use, while those proposed by Hübner are not now in use, and, when used in the past, have been employed in a different sense from that which, in view of

Opinion 97, would now be necessary. In these circumstances, the substitution of the three Hübnerian names for the three Fabrician names, if, under the strict application of the Rules, such a course could be shown to be called for by reason of the prior publication of the Hübnerian names, would clearly result in greater confusion than uniformity.

"In order to secure a binding ruling on this question, my colleague Mr. N. D. Riley and I, in accordance with our already announced intention (Hemming, 1934, *Gen. Names hol. Butt.* 1: 13), now ask the International Commission on Zoological Nomenclature to issue an Opinion declaring that the paper in the sixth volume of Illiger's *Magazin* in which the names proposed by Fabricius were published is to be given precedence over the plates of Hübner's *Sammlung exotischer Schmetterlinge* published in 1807. The effect of the adoption by the International Commission of an Opinion in the foregoing sense would afford full protection to the names *Morpho* Fabricius, *Helicopis* Fabricius, and *Pontia* Fabricius. A conditional suspension of the rules would be involved in order to provide against the contingency (which, though highly unlikely, is nevertheless conceivable) that evidence might some day be forthcoming to show that some or all of the particular plates of Hübner's *Sammlung exotischer Schmetterlinge* now under consideration were published before the appearance of the paper in volume 6 of Illiger's *Magazin* containing the new names proposed by Fabricius."

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. The International Committee on Entomological Nomenclature at their Madrid Meeting endorsed the views which Commissioner Hemming had laid before them on the subject, and agreed to submit to the International Commission on Zoological Nomenclature a recommendation supporting the proposals set out in the statement prepared by Commissioner Hemming quoted in paragraph 1 above, and expressing the hope that the Commission at their next Meeting would agree to render an Opinion in the sense indicated above.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

3. The International Commission on Zoological Nomenclature gave consideration to this question later in September, 1935, at their Meeting held in Lisbon during the Meeting of the Twelfth International Zoological Congress. At this Meeting the International Commission approved the proposal submitted and unanimously adopted the following Resolution which was incorporated in their Report to the International Zoological Congress as paragraph 19 thereof:—

"19. On the relative precedence to be accorded to certain generic names in the *Lepidoptera* published in 1807 by Fabricius and Hübner respectively.— Unless and until further evidence is forthcoming regarding the precise dates in 1807 on which were published (a) FABRICIUS'S paper on generic names in

the sixth volume of ILLIGER'S *Magazin für Insektenkunde* and (b) certain plates of HÜBNER'S *Sammlung exotischer Schmetterlinge*, the names proposed by FABRICIUS shall have precedence over those proposed by HÜBNER. The Commission are further of the Opinion that, if evidence were found to show that HÜBNER'S plates were published before FABRICIUS'S paper, the strict application of the rules would clearly result in greater confusion than uniformity. Acting, therefore, in virtue of the Plenary Power conferred upon them at the Monaco Meeting of the International Zoological Congress, the International Commission hereby declare that in that event the generic names *Potamis* Hübner, *Rusticus* Hübner, and *Mancipium* Hübner are to be suppressed in favour of *Morpho* Fabricius, *Helicopsis* Fabricius, and *Pontia* Fabricius respectively."

4. The Report of the International Commission containing the foregoing paragraph was unanimously adopted at the Meeting of the Commission held on the morning of Wednesday, 18th September, 1935, and by the Section on Nomenclature at their Meeting held on the afternoon of the same day. The Report was accordingly submitted to the International Zoological Congress by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September, 1935, the last day of the Congress.

5. In view of the fact that the concluding portion of the Opinion quoted in paragraph 4 above requires, to be valid, the Suspension of the Rules, the intention of the Commission to render an Opinion in the said terms was duly advertised in 1936 in two or more of the zoological journals named in the Resolution adopted by the Ninth International Zoological Congress held at Monaco in March, 1913, by which the International Congress conferred upon the International Commission on Zoological Nomenclature Plenary Power to suspend the Rules as applied to any given case where in the opinion of the Commission the strict application of the Rules would clearly result in greater confusion than uniformity.

6. In the period which has elapsed since the announcement in the said zoological journals of the proposed Suspension of the Rules in the manner indicated, no communication of any kind has been addressed to the International Commission objecting to the issue of an Opinion giving priority to the names introduced by Fabricius over those introduced by Hübner, though one group of lepidopterists interested in Hübner's *Tentamen* submitted certain observations in regard to the application to be given to the Hübnerian names in question.

7. The Opinion as set out in the extract from the Commission's Report quoted in paragraph 3 above was concurred in by the

twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amiral *vice* Cabrera; Oshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

8. The Opinion referred to above was dissented from by no Commissioner or Alternate.

9. The following five (5) Commissioners who were neither present at the Lisbon Meeting of the International Commission nor represented thereat by Alternates did not vote on the above Opinion :—Bolívar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the Ninth International Zoological Congress at its Meeting held in Monaco in March, 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Zoological Congress, Plenary Power to suspend the Rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said Rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible Suspension of the Rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed Suspension of the Rules; and

WHEREAS the Suspension of the Rules is required in certain circumstances to give valid force to certain of the provisions of the present Opinion; and

WHEREAS not less than one year's notice of the possible Suspension of the Rules as applied to the present case has been given in two or more of the journals referred to in the said Resolution adopted by the Ninth International Zoological Congress at its Meeting held in Monaco in March, 1913; and

WHEREAS the vote in the Commission at their Lisbon Meeting was unanimously in favour of the issue of an Opinion in the terms of the present Opinion;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Zoological Congress, and direct that it be rendered and printed as Opinion One Hundred and Thirty-Seven (Opinion 137) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this twelfth day of August, Nineteen Hundred and Thirty-Nine, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

OPINIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2

(pp. 29-34)

OPINION 138

On the Method by which the Amendment to Article 25 of the International Code adopted at the Budapest Meeting of the International Zoological Congress, relating to the Replacement of Invalid Names, should be Interpreted

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Secretariat of the Commission

British Museum (Natural History), Cromwell Road, London, S.W.7

1939

Price one shilling and sixpence

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Bungay, Suffolk

OPINION 138.

ON THE METHOD BY WHICH THE AMENDMENT TO ARTICLE 25 OF THE INTERNATIONAL CODE ADOPTED AT THE BUDAPEST MEETING OF THE INTERNATIONAL ZOOLOGICAL CONGRESS, RELATING TO THE REPLACEMENT OF INVALID NAMES, SHOULD BE INTERPRETED.

SUMMARY.—In order to comply with Article 25 of the International Code as amended at the Meeting of the International Zoological Congress held in Budapest in 1927, it is necessary for an author publishing a new name in substitution for an invalid name, after giving the name to be replaced and its author, to cite also the year in which that name was published and to indicate the title of the work or journal in which the name to be replaced was first published, and, in all cases where the pages of the work concerned are numbered, to cite the number of the page on which the name to be replaced was printed.

I.—THE STATEMENT OF THE CASE.

This question was first raised by Dr. C. B. Ticehurst, Editor of the *Ibis*, in the following letter dated 5th August, 1935 :—

“ I should like to bring the following case before the International Commission on Zoological Nomenclature.

“ In the Bulletin of the British Ornithologists' Club, vol. 55 : 24, 1934, Mr. Mathews proposes (*inter alia*) :—

‘ *Trochalopteron touchena* for *T. yunnanensis* La Touche, 1922, not Rippon, 1906.’

“ According to the amended Rule 25, a definite bibliographical reference must be given. The question for the Commission to decide is whether ‘ La Touche, 1922 ’ can be said to be a ‘ definite bibliographical reference ’.”

II.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

2. The International Commission on Zoological Nomenclature gave consideration to this question in September, 1935, at their Meeting held in Lisbon during the Meeting of the Twelfth International Zoological Congress. At this Meeting the International

Commission unanimously adopted the following Resolution which was incorporated in their Report to the International Zoological Congress as paragraph 20 thereof :—

“ 20. *On the method by which the amendment to Article 25 of the International Code adopted at the Budapest Meeting of the International Zoological Congress, relating to the replacement of invalid names, should be interpreted.*—The International Commission have had under consideration the question of the interpretation of the amendment to Article 25 of the International Code adopted at the Budapest Meeting of the International Zoological Congress, which became operative on the 1st January 1931, and which lays it down that, when for any reason it is necessary to replace an existing name, either because it is a synonym or a homonym, the author proposing the new name must give ‘ a definite bibliographic reference ’ to the name to be replaced. An author giving such a new name would not comply with the above amendment to Article 25, if, after giving the name to be replaced, he were only to add such an expression as ‘ La Touche, 1922 ’. In order to comply with the Article as amended at Budapest, it is necessary for the author proposing the new name, after giving the name to be replaced and its author, to cite also the year in which that name was published and to indicate the title of the work or journal in which the name to be replaced was first published, and, in all cases where the pages of the work concerned are numbered, to cite the number of the page on which the name to be replaced was printed.”

3. The Report of the International Commission containing the foregoing paragraph was unanimously adopted at the Meeting of the Commission held on the morning of Wednesday, 18th September, 1935, and by the Section on Nomenclature at their Meeting held on the afternoon of the same day. The Report was accordingly submitted to the International Zoological Congress by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September, 1935, the last day of the Congress.

4. The Opinion as set out in the extract from the Commission’s Report quoted in paragraph 2 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely :—

Commissioners :—Calman ; Hemming ; Jordan ; Pellegrin ; Peters ; and Stejneger.

Alternates :—do Amiral *vice* Cabrera ; Oshima *vice* Esaki ; Bradley *vice* Stone ; Beier *vice* Handlirsch ; Arndt *vice* Richter ; and Mortensen *vice* Apstein.

5. The Opinion referred to above was dissented from by no Commissioner or Alternate.

6. Subsequent to the Lisbon Meeting, the following four (4) Commissioners who were neither present at that Meeting nor were represented thereat by Alternates indicated that they desired their names to be added to the list of Commissioners

supporting the Opinion adopted at that Meeting :—Chapman; Fantham; Silvestri; and Stiles. In addition, the following four (4) Commissioners who were not present in person at the Lisbon Meeting of the Commission but were represented thereat by Alternates similarly indicated that they desired their names to be added to the list of Commissioners supporting the Opinion adopted at that Meeting :—Cabrera; Esaki; Richter; and Stone. Commissioner Bolivar y Pieltain was neither present at the Lisbon Meeting nor represented thereat by an Alternate; nor did he subsequently address any communication to the Secretary to the Commission in regard to this subject.

III.—THE DATE AS FROM WHICH THE PROVISIONS OF THE PRESENT OPINION ARE OPERATIVE.

7. The amendment to Article 25 of the International Code containing the phrase “definite bibliographic reference”, the meaning of which is defined in the present Opinion, was adopted by the International Zoological Congress at its Meeting held in Budapest in 1927. In order, however, to give zoologists ample warning of the change in the Code effected by the said amendment, the International Zoological Congress expressly laid it down that the said amendment was not to become operative until after the 31st December, 1930, *i.e.* that its provisions were to apply only to names published on or after the 1st January, 1931. Since the present Opinion does no more than clear up an ambiguity in the text of an amendment to the International Code, which became operative as from the 1st January, 1931 (inclusive), the explanation given in the present Opinion applies automatically as from the same date. The criteria laid down in the present Opinion apply, therefore, to every name published on or after the 1st January, 1931.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the Suspension of the Rules, an Opinion is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed Opinion

involves a reversal of any former Opinion rendered by the Commission, such proposed Opinion should require the concurrence of at least fourteen (14) Members of the Commission voting on the same before such Opinion is to be deemed to have been rendered by the Commission; and

WHEREAS the present Opinion neither requires, to be valid, the Suspension of the Rules, nor involves a reversal of any former Opinion rendered by the Commission; and

WHEREAS sixteen (16) Members of the Commission have signified their concurrence in the present Opinion, twelve (12) either in person or through Alternates at the Meeting of the Commission held in Lisbon in September, 1935, and four (4) by subsequent adherence to the Resolution adopted in this matter at the said Meeting :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Zoological Congress, and direct that it be rendered and printed as Opinion Number One Hundred and Thirty-Eight (Opinion 138) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this fourteenth day of August, Nineteen Hundred and Thirty-Nine, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

OPINIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2

(pp. 35-46)

OPINION 139

The names *Cephus* Latreille, [1802-1803] and
Astata Latreille, 1796, in the Hymenoptera
added to the Official List of Generic Names

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1943

Price two shillings and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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* This vacancy was caused by the death on 23rd May, 1939, of Dr. Witmer STONE (U.S.A.).

† This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).



OPINION 139.

THE NAMES *CEPHUS* LATREILLE, [1802-1803], AND *ASTATA* LATREILLE, 1796, IN THE HYMENOPTERA ADDED TO THE OFFICIAL LIST OF GENERIC NAMES.

SUMMARY.—The suppression of the Erlangen List (Opinion 135) invalidates the name *Astatus* Jurine, 1801 (type: *Sirex pygmaeus* Linnaeus, 1758) and in consequence the name *Cephus* Latreille, [1802-1803],* of which the same species is the type, becomes available nomenclatorially. The name *Cephus* Latreille, with type as indicated, is hereby added to the Official List of Generic Names, together with *Astata* Latreille, 1796 (type: *Tiphia abdominalis* Panzer, [1798]).

I.—THE STATEMENT OF THE CASE.

The problem presented by the names *Cephus* Latreille, [1802-1803] and *Astatus* Jurine, 1801, arose from the action of Morice and Durrant (1915, *Trans. ent. Soc. Lond.* 1914 : 339-436) in publishing a facsimile of the so-called Erlangen List and drawing attention to the large number of names for which fresh type designations were required if (as those authors considered should be the case) those names were to be treated as having been validly published for the first time in that work.

2. No. 9 of the 48 genera enumerated in the Erlangen List was *Astatus* Jurine. Two species were cited for this genus as follows:—“*Sirex pygmaeus*. *Banchus spinipes* Panzer (*Banchus viridator* Fabric. *inedit.*” Morice and Durrant pointed out (*ibid.* 1914 : 383) that the above names both apply to a single species, *Sirex pygmaeus* Linnaeus, 1767 (*Syst. Nat.* (ed. 12) 1 (2) : 929) and therefore that

* At the time of the meeting of the International Commission at Lisbon in 1935, it was believed that the date of publication of volume 3 of Latreille, in Sonnini's *Buffon, Hist. nat. gén. partic. Crust. Ins.*, in which the name *Cephus* Latreille was first published, was 1802, but Griffin has since shown (1938, *J. Soc. Bibl. nat. Hist.* 1 : 157) that, notwithstanding the fact that this volume is dated “An X”, it was almost certainly not published until “An XI” and therefore that this volume must have been published on same date in the period 22.ix.1802-21.ix.1803. For particulars showing how to convert dates from the French Republican calendar into the Christian calendar, see Griffin, 1939, *ibid.* 1 : 249.

that species was automatically the type of *Astatus* Jurine, that genus being in effect monotypical.

3. The conclusions reached by Morice and Durrant were discussed by Professor James Chester Bradley in a paper published in 1919 (*Trans. ent. Soc. Lond.* 1919 : 56-57). The following is an extract from that paper of the passage dealing with the names *Astatus* Jurine and *Astata* Latreille, 1796 :—

ASTATA Latr., 1796 = [*Astatus* Latr., 1796, *erratum*] = [*Dimorpha* Jur., 1801].

TYPE : [*Tiphia abdominalis* Panz.] = [*Sphex*] *boops* Schrank = *Astata boops* (Schrank) Spinola. The genus was described without species, and *abdominalis* was the first subsequently included.

The genus *Astata* of Latreille is valid and dates from 1796. Latreille printed the name *Astatus* (1796 : 114), but in the same work (1796 : xiii) states : " Page 114, au lieu d'*Astatus* lisez *Astata*." We can therefore hardly hold that he has preoccupied *Astatus* Jurine, 1801, a group of sawflies. Nor can the latter be considered as establishing species for *Astata* Latr., since the species therein contained do not come under the generic definition of *Astata*.

ASTATUS Jur., May 1801, *nec* Panzer, July, 1801, Konow, etc. = *Cephus* Latr., 1802 = *Trachelus* Jur., 1807.

TYPE : *Sirex pygmaeus* L. = *Astatus pygmaeus* (L.) Jur. = *Cephus pygmaeus* (L.) Latr.

The two species originally included in *Astatus* are identical.

4. The revolutionary changes in the nomenclature of the Hymenoptera that would be involved in the acceptance of the Erlangen List led Professor Chester Bradley to consult the leading systematic workers in all countries on the course of action to be pursued. This action, which was initiated in 1928, led in due course to the submission to the International Commission of petitions relating to this and certain other cases signed by Professor Chester Bradley and 59 other Hymenopterists. The text of the petition relating to the present case reads as follows :—

THE CASE OF *CEPHUS* VERSUS *ASTATUS*.

" In 1834 Norman established the group Cephites for *Cephus* Latr., 1802, and allies, and in 1840 Haliday gave the group the family name of CEPHIDÆ, by which name it has been known to most subsequent authors.

" The contained genus *Hartigia* Schioedte, 1838 (*Nat. Tidsskr.* 2 : 332) and its synonym *Macrocephus* Schlechtendal, 1878 (*Ent. Nachr.* 4 : 153), have been made types of the group called Macrocephides by Konow, 1896, and HARTIGIINÆ by Enslin, 1914.

" The type of *Cephus* Latr., 1802, is *Sirex pygmaeus* L., a sawfly which is also the type of *Astatus* Jurine, May 1801, *nec* Panzer, July, 1801. *Cephus* Latr., 1802, is therefore a synonym of *Astatus* Jurine, 1801.

" One would conclude that therefore the family name CEPHIDÆ must be replaced by ASTATIDÆ (Art. 5 of the International Code), were it not for the following facts : *Astata* Latr., 1796, is an entirely different genus, having for its type *Tiphia abdominalis* Panzer = *Astata boops* (Schrank)

Spinola, an aculeate wasp. The genus was described without species, and *abdominalis* was the one first subsequently included. The genus *Astata* of Latreille is valid and dates from 1796 (Opinion 46, Intern. Comm. on Nomenclature). Latreille printed the name *Astatus* (1796 : 114) but in the same work (1796 : xiii) states : 'Page 114, au lieu d'*Astatus* lisez *Astata*.' We can therefore hardly hold that he has preoccupied *Astatus* Jurine, 1801, a group of sawflies. Nor can the latter be considered as establishing species for *Astata* Latr., since the species therein contained do not come under the generic definition of *Astata*.

" In 1845 Lepeletier established a group of aculeate wasps, *Astatites*, based on *Astata* Latr., 1796. This was treated by Thomson, 1870, as a family, *ASTATIDAE*, by Ashmead, 1899, and Rohwer, 1916, as a subfamily *ASTATINAE* and must at present be recognised as a group of at least tribal value.

" From the foregoing it is evident that there then exists within the order Hymenoptera a family of sawflies, ordinarily known as *CEPHIDAE*, to which the regulations of the International Code require that we now apply the name *ASTATIDAE* (with *Astatini* for the typical tribe or subfamily if the group is further divided, as is done by Konow), and a group of aculeate wasps which also bear the tribal, subfamily or family name *ASTATINI*, *ASTATINAE* or *ASTATIDAE* according to the rank which they are given.

" The International Code does not specifically provide against identical names for pleural groups, higher than genus, but it would seem to be obvious common sense and in accordance with the entire spirit of the International Code to refuse to recognise as valid two such group names, and particularly within a single order. To have a tribe of *SPHEGIDAE* called *ASTATINI*, and a family of sawflies called *ASTATIDAE* with its tribe *ASTATINI*, would be so confusing and so obviously contrary to the spirit of all laws on nomenclature as to need the specific provision of the Code to prevent its occurrence.

" Since *Astata* Latr., 1796 (the wasp) is an older genus than *Astatus* Jurine, 1801, (the sawfly) shall we recognise *ASTATINI* as a tribe of wasps, based on the type genus *Astata* Latreille, 1796, and consider *ASTATIDAE* based on *Astatus* Jurine, 1801, as an invalid name for the group of sawflies ordinarily known as *CEPHIDAE*?

" *Trachelus* Jurine, 1807 (*N. Meth. class. Hymenopt.* : 72) is a second synonym of *Astatus*, and is therefore equally unavailable with *Cephus* as type of the family to replace *Astatus*.

" The Code is silent¹ in regard to the method of determining the type genera of families. The practice of some authors is to recognise only the oldest contained genus within the family as type. If this principle were applied to the sawflies in question, *Astatus* (with its synonyms *Cephus* and *Trachelus*) being unavailable for the reasons above stated, the next oldest name *Cepha* Billberg, 1820 (*Enum. Ins. Mus. Billberg* : 98) (of which the type is *Sirex tabidus* Fabricius (1775, *Syst. Ent.* : 326); see Rohwer : *Ent. News* 22 : 218) would become type genus of the family and by a rare circumstance the established name of the group, *CEPHIDAE*, would again become available.

" It is the practice of other authors, applying the principle of priority to designation of the type genera of families, to recognise as the type genus of any family (or group intermediate between genus and family) the contained genus that was first established as the basis of a plural name of higher than generic rank. Of these sawfly genera the first used in this way was *Cephus* (Latr., 1802) by Newman in 1834 to form a group he called *Cephites*. Ruling it out as a synonym of *Astatus*, and *Astatus* as

¹ This question has since been settled by the International Commission in Opinion 141. See pp. 57-65 of the present volume of Opinions.

unavailable for reasons above stated, we find that the genus next used for the basis of a group name was *Hartigia* Schioedte used by Enslin in 1914 as a basis for the subfamily HARTIGIINAE.*

"Whatever the decision of the Commission in this case may be, it is apparent that an attempt to proceed under the Code must result in confusion. We therefore request the Commission to :

- (1) suspend the rules in the case of the genera of sawflies *Cephus* Latreille, 1802, and *Astutus* Jurine, 1801.
- (2) permanently reject *Astutus* Jurine, 1801, because of its similarity to *Astata* Latreille, 1796, and the resulting confusion that would ensue if subfamily and family names, necessarily of identical form, were built on each, and because *Cephus* has been in universal use since 1802 for the genus of sawflies which under the Code should be called *Astutus*,
- (3) validate *Cephus* Latreille, 1802, type *Sirex pygmaeus* L., and with it the family name CEPHIDAE, because these names have been in universal use, and a change from them would cause needless confusion,
- (4) place *Cephus* Latreille, 1802, type *Sirex pygmaeus* on the Official List of Generic Names, for the genus of sawflies ordinarily known by that name.

"* This case is discussed, but with a different conclusion by Bradley; *Trans. ent. Soc. Lond.* 1919 : 56-58, and the list of references therein given will also serve for the references made above." ¹

5. The following is a copy of the list of signatures attached to the above petition at the time of its submission to the International Commission :—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns ‡
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	H. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiya
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	R. Kruger †
W. M. Mann	P. Roth	W. Hellen †
R. Friese	E. Enslin	F. X. Williams †
H. von Ihering ‡	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balouf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

¹ The passage here referred to by Professor Chester Bradley is quoted in full in paragraph 3 of the present Opinion.

6. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

7. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration the Committee decided to frame its recommendations to the International Commission on Zoological Nomenclature, first on the assumption that the Commission would agree to use its plenary powers to suppress the "Erlangen List", in which the name *Astatus* Jurine, 1801, was published, and second on the assumption that the Commission would not be able to see its way to deal with the problem in this radical fashion. If the first of these courses were taken by the International Commission, there would be no necessity to suspend the rules in order to secure the desired object in this case, since *Astatus* Jurine, 1801, would cease to be available nomenclatorially immediately the Erlangen List was suppressed and in consequence the name *Cephus* Latreille, 1802-1803, would at once become the oldest available name for the genus of sawflies in question. The International Committee recommended that in this event the International Commission should dispose of this case by placing the name *Cephus* Latreille, type *Sirex pygmaeus* Linnaeus, 1767, on the Official List of Generic Names. If, however, the International Commission did not suppress the Erlangen List, it would be necessary for the Commission to act in the way recommended in the petition submitted in this case. The International Committee accordingly recommended that in that event the International Commission should proceed in that manner.

8. These and other resolutions adopted by the International Committee at its meeting held at Madrid were subsequently confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

9. At their meeting held at Lisbon on the morning of 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 13), the International Commission unanimously agreed to use the plenary powers conferred upon them by the Ninth International Congress of Zoology at Monaco in 1913 in order to suppress the Erlangen List.* When therefore at their meeting held on the afternoon of the same day (Lisbon Session, 3rd Meeting, Conclusion 2) the Commission came to consider the present case, they found that there was no need to make use of the plenary powers in order to secure the desired object, since, owing to the suppression of the Erlangen List and, with it, of the name *Astatus* Jurine, 1801, the name *Cephus* Latreille, [1802–1803]† had become available nomenclatorially. It followed also that the name CEPHIDÆ replaced the name ASTATIDÆ as the name of the family of Chalastogastra containing the wheat-stem sawfly, long-accepted usage thereby being preserved.

10. The Commission accordingly decided to dispose of this case by rendering an Opinion placing on the Official List of Generic Names the undermentioned nomenclatorially available generic names, with types as shown each of which had been duly designated in accordance with the provisions of the International Code of Zoological Nomenclature :—

<i>Name of genus</i>	<i>Type of genus</i>
(1) <i>Cephus</i> Latreille, [1802–1803], † (in Sonnini's <i>Buffon</i>) <i>Hist. nat.</i> <i>gén. partic. Crust. Ins.</i> 3: 303	<i>Sirex pygmaeus</i> Linnaeus, 1767, <i>Syst. Nat.</i> (ed. 12) 1 (2) : 929 ‡ (monotypical)
(2) <i>Astata</i> Latreille, 1796, <i>Précis</i> <i>Caract. Ins.</i> : xiii	<i>Tiphia abdominalis</i> Panzer, [1798], <i>Faun. Ins. germ.</i> (53) tab. 5 (type designated by Latreille, [1802–1803] † (in Sonnini's <i>Buffon</i>) <i>Hist. nat. gén. partic. Crust. Ins.</i> 3: 336; no species were included by Latreille in 1796; the above was the sole species included in [1802–1803] and is therefore the type.)

* See Opinion 135.

† The corrected date [1802–1803] is here given and not the date 1802, which at Lisbon was believed to be the date of this name. See footnote to the Summary of the present Opinion.

‡ This generic name was misspelt *Syrex* in the version of the Commission's report published in the *Compte Rendu* of the Twelfth International Congress of Zoology (1936 : 190). On the same occasion the date of this name was erroneously given as 1758.

11. The foregoing decisions were embodied in paragraph 25 of the Report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. This Report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

12. The Opinion as set out in paragraph 10 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.
 Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

13. The present Opinion was dissented from by no Commissioner or Alternate present at the Lisbon Meeting. Nor since that Meeting has any Commissioner who was not present on that occasion indicated disagreement with the conclusions then reached by the Commission in this matter.

14. The following five (5) Commissioners who were neither present at the Lisbon Meeting of the International Commission nor were represented thereat by Alternates did not vote on the present Opinion :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the Suspension of the Rules, an Opinion is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10)

Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed Opinion involves a reversal of any former Opinion rendered by the Commission, such proposed Opinion shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such Opinion is to be deemed to have been adopted by the Commission; and

WHEREAS the present Opinion neither requires, to be valid, the Suspension of the Rules, nor involves a reversal of any former Opinion rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present Opinion either in person or through Alternates at the Meeting of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as Opinion Number One Hundred and Thirty-Nine (Opinion 139) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this twentieth day of December, Nineteen Hundred and Forty Two, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

NOTICES.

The undermentioned publications of the International Commission on Zoological Nomenclature are obtainable at the Publications Office of the Commission, 41, Queen's Gate, London, S.W. 7:—

- OPINION 134. On the method to be adopted in interpreting the generic names assigned by Freyer to species described in his *Neuere Beiträge zur Schmetterlingskunde*, 1833–1858 . price 8*d.*
- OPINION 135. The suppression of the so-called "Erlangen List" of 1801 . price 8*d.*
- OPINION 136. Opinion supplementary to Opinion 11 on the interpretation of Latreille's *Considérations sur l'ordre naturel des animaux composant les classes des Crustacés, des Arachnides et des Insectes avec un tableau méthodique de leurs genres disposés en familles*, Paris, 1810 . price 1*s.* 0*d.*
- OPINION 137. On the relative precedence to be accorded to certain generic names published in 1807 by Fabricius and Hübner respectively for identical genera in the Lepidoptera Rhopalocera price 1*s.* 6*d.*
- OPINION 138. On the method by which the amendment to Article 25 of the International Code adopted by the Budapest Meeting of the International Zoological Congress, relating to the replacement of invalid names, should be interpreted price 1*s.* 6*d.*
- OPINION 139. The name *Cephus* Latreille, [1802–1803] and *Astata* Latreille, 1796, in the Hymenoptera added to the Official List of Generic Names . price 2*s.* 6*d.*

- OPINION 140. On the method of forming the family names for *Merops* Linnaeus, 1758 (Aves) and for *Merope* Newman, 1838 (Insecta) price 2s. od.
- OPINION 141. On the principles to be observed in interpreting Article 4 of the International Code relating to the naming of families and sub-families price 2s. 6d.

NOTE :—Opinions One to One Hundred and Thirty-Three (Opinions 1-133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself owing to lack of funds. Through the intermediary of the late Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions in the *Smithsonian Miscellaneous Collections*. Unfortunately, all except a few of the later of the above Opinions are now out of print, and are therefore not obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of *Opinions Rendered by the International Commission on Zoological Nomenclature*.

OPINIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2

(pp. 47-53)

OPINION 140

On the method of forming the family names
for *Merops* Linnaeus, 1758 (Aves) and for
Merope Newman, 1838 (Insecta)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission

41, Queen's Gate, London, S.W.7

1943

Price two shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).
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Publications Office of the Commission :

41, Queen's Gate, London, S.W. 7.

Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.

* This vacancy was caused by the death on 23rd May, 1939, of Dr. Witmer STONE (U.S.A.).

† This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).



OPINION 140.

ON THE METHOD OF FORMING THE FAMILY NAMES FOR *MEROPS* LINNAEUS, 1758 (AVES) AND FOR *MEROPE* NEWMAN 1838 (INSECTA).

SUMMARY.—The family name for *Merops* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) : 117) in Aves is **MEROPIDAE**; the family name for *Merope* Newman, 1838 (*Ent. Mag.* 5 (2) : 180) in Insecta is **MEROPEIDAE**.

I.—THE STATEMENT OF THE CASE.

This question was first raised by the International Committee on Entomological Nomenclature at its meeting held in Paris in 1932. At this meeting the International Committee adopted the following resolution :—

Le nom grec *μεροπη* du genre d'insecte se terminant en *Eta*, le nom de la famille de ces insectes sera **MEROPEIDAE**, nom différant suffisamment de **MEROPIDAE** (dérivé de *Merops*, *opsis*)

2. This resolution was submitted by the International Committee on Entomological Nomenclature to Section VIII (Section on Nomenclature) of the Fifth International Congress of Entomology, by whom it was unanimously approved. Finally, this resolution was adopted by the Fifth International Congress of Entomology in Concilium Plenum on the presentation of the Report of the Secretary of the Executive Committee of the Congress.

II.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

3. This subject was considered by the International Commission on Zoological Nomenclature at the second meeting of the Session held in Lisbon in September 1935 during the meeting of the Twelfth International Congress of Zoology. At this meeting, which was held on the morning of 16th September 1935, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 14) :—

to render an Opinion declaring :—

- (i) that the family name for the genus *Merops* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) : 117) in the Aves is MERO-PIDAE; and
- (ii) that the family name for the genus *Merope* Newman, 1838 (*Ent. Mag.* 5 (2) : 180) in the Insecta is MERO-PEIDAE.

4. The foregoing decision was embodied in paragraph 22 of the Report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. This Report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

5. The Opinion set out in paragraph 3 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

6. The present Opinion was dissented from by no Commissioner or Alternate at the Lisbon Meeting. Nor since that Meeting has any Commissioner who was not present on that occasion indicated disagreement with the conclusions then reached by the Commission in this matter.

7. The following five (5) Commissioners who were neither present at the Lisbon Meeting of the International Commission nor were represented thereat by Alternates did not vote on the present Opinion :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

III.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the Suspension of the Rules, an Opinion is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed Opinion involves a reversal of any former Opinion rendered by the Commission, such proposed Opinion shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such Opinion is to be deemed to have been adopted by the Commission; and

WHEREAS the present Opinion neither requires, to be valid, the Suspension of the Rules, nor involves a reversal of any former Opinion rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present Opinion either in person or through Alternates at the Meeting of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as Opinion Number One Hundred and Forty (Opinion 140) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this twenty-fourth day of December, Nineteen Hundred and Forty Two, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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OPINION 141. On the principles to be observed in interpreting Article 4 of the International Code relating to the naming of families and sub-families price 2s. *6d.*

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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2

(pp. 55-66)

OPINION 141

On the principles to be observed in interpreting
Article 4 of the International Code relating to
the naming of families and subfamilies

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OPINION 141.

ON THE PRINCIPLES TO BE OBSERVED IN INTERPRETING ARTICLE 4 OF THE INTERNATIONAL CODE RELATING TO THE NAMING OF FAMILIES AND SUBFAMILIES.

SUMMARY.—The following principles are to be observed in interpreting Article 4 of the International Code relating to the naming of families and subfamilies :—

- (1) The oldest available generic name in the family need not be taken as the type genus of the family.
- (2) An author establishing a new family is free to select as the type genus of that family whatever generic unit he considers the most appropriate.

NOTE :—So far as possible, the genus selected should be the best known and commonest of the taxonomic units concerned, *i.e.*, it should be the most central of the genera proposed to be included in the family so established.

- (3) The name of a family is based upon the name of its type genus. The fact that a given generic name is selected to form the name of a family constitutes *ipso facto* a definite designation of that genus as the type genus of that family. Example :—The genus *Musca* Linnaeus, 1758, is definitely and unambiguously designated as the type genus of the family MUSCIDAE by reason of the stem of the word *Musca* being used in the formation of the family name.

NOTE :—There are a few well-established family names proposed by early authors where the foregoing principle has not been observed. Such names should be treated as exceptions. Any case of doubt should be referred to the Commission for decision.

- (4) The principles set out in (1) to (3) above in regard to family names apply equally to the names of subfamilies.

I.—THE STATEMENT OF THE CASE.

In March 1932 Dr. Jean M. Pirlot of the Institut van Beneden, University of Liège, submitted to the Commission a request for an Opinion on a case which involved two problems, the first of interest to students of a particular group of Crustacea, the second of interest to workers in all zoological groups, since it was concerned with the interpretation of Article 4 of the International Code relating to the naming of families and subfamilies.

2. The following is the case submitted by Dr. Pirlot as later summarised by the Commission in Opinion 133 :—

1. Type of *Urothoe*. Dana (1852, p. 311) in an extensive key summary, down to and including genera, describes *Urothoe* Dana, with generic diagnosis but without mention of any species. This appears to be the original publication of the name.

The following year, Dana (1853, p. 921) discusses *Urothoe* and cites two species, *U. rostratus* [which is given unconditionally] and *U. irrostratus* [which is clearly sub judice]. This is apparently the first allocation of any species to this genus.

Under Article 30e β of the Rules, *U. irrostratus* is excluded as type, and *U. rostratus* automatically becomes type regardless of the fact whether one dates the genus from 1852 or 1853. Compare Opinions 35 and 46. For determination of this point it is not necessary to follow the literature further and the fact that *U. irrostratus* has been used as type by some authors is irrelevant as the case now stands.

2. Family name. A complication has arisen because of the fact that *U. irrostratus* has been used as the type of *Urothoe*.

Stebbing (1906, *Das Tierreich* 21 : 131) retains *U. irrostratus* in *Urothoe*, family HAUSTORIIDAE, and classifies (*idem* : 146) *U. rostratus* in *Pont-harpinia* Stebbing, 1897, mt. *pinguis*, family PHOXOCEPHALIDAE.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. Dr. Pirlot's chief object was to obtain from the Commission a decision on the question of the type of the genus *Urothoe* Dana, and it was therefore primarily to this part of Dr. Pirlot's inquiry that the Commission first directed their attention. Dr. Stiles accordingly prepared for the consideration of the Commission a draft Opinion that was chiefly concerned with the case of *Urothoe* Dana, the discussion on the more general—and much more important—question being directed mainly to its relation to the particular case of *Urothoe* Dana.

4. In the circular letter (C.L. 274) under cover of which he communicated the draft Opinion to the members of the Commission for consideration, Dr. Stiles drew attention (February 1935) to the fact that the second part of the case submitted by Dr. Pirlot raised issues of interpretation in regard to Article 4 of the Code, which were already being considered by the Commission in a different connexion. Dr. Stiles accordingly suggested that any preliminary views that might be formed by Commissioners on the draft Opinion should be subject to the further discussion at the meeting of the Commission due to be held at Lisbon later in the course of that year.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

5. The two questions raised by Dr. Pirlot, together with the draft Opinion prepared by Dr. Stiles, were considered by the

International Commission at the fourth meeting of the Session held in Lisbon in September 1935 during the Meeting of the Twelfth International Congress of Zoology. At this meeting, which was held on the morning of Tuesday, 17th September 1935, the Commission decided to consider separately the two questions involved in this case.

6. The Commission considered first the question of the type of the genus *Urothoe* Dana. On this matter the Commission agreed (Lisbon Session, 4th Meeting, Conclusion 6) :—

that, as a draft Opinion on the type of the genus *Urothoe* Dana, 1852, prepared by Commissioner Stiles, had already been circulated for a postal vote, the question should be left to be settled by the Commission by that method.

7. The Commission then turned to the second of the problems raised in the case submitted by Dr. Pirlot, namely that in regard to the interpretation of Article 4 of the Code, which relates to the naming of families. On this question, the Commission agreed (Lisbon Session, 4th Meeting, Conclusion 7) :—

to render an Opinion :—

- (i) laying it down that Article 4 of the Code does not require that the oldest generic name in the family or subfamily concerned must be taken as the type genus of the family or subfamily;
- (ii) incorporating also the general propositions relating to the interpretation of Article 4 of the Code embodied in the draft Opinion on the case of the genus *Urothoe* Dana as soon as that Opinion had been approved in the manner agreed upon in Conclusion 6 above.*

8. The decision of the Commission set out in the first part of the Conclusion quoted above was incorporated as paragraph 21 in the Report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology. This Report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

* The text of Conclusion 6 is quoted in full in the preceding paragraph (paragraph 6) of the present Opinion.

9. The decisions set out in paragraphs 7 and 8 above were concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; Mortensen *vice* Apstein.

10. The decisions recorded above were dissented from by no Commissioner or Alternate at the Lisbon Meeting. Nor since that Meeting has any Commissioner who was not present on that occasion indicated disagreement with the conclusions then reached by the Commission in this matter.

11. At the conclusion of the Lisbon Meeting, Dr. Stiles resigned the office of Secretary to the Commission but at the request of the Commissioners and Alternates present at Lisbon agreed to officiate as Acting Secretary to the Commission, pending the election of his successor which did not take place until October 1936. In the intervening period Dr. Stiles, acting in virtue of the authority conferred by Article 7 of the By-Laws of the Commission, announced on behalf of the Commission ten Opinions (Opinions 124-133), all of which had been under consideration before the meeting of the Commission in Lisbon in September 1935. One of these Opinions (Opinion 133) was that relating to the type of the genus *Urothoe* Dana (see paragraph 6 above), which in the period that had elapsed since the Lisbon Meeting had secured the number of votes required for its adoption by the Commission.

12. The issue of Opinion 133 thus made it possible to proceed with the preparation of the present Opinion embodying the decision of the Commission set out in paragraph 7 in regard to the interpretation of Article 4 of the Code.

13. The text relating to this subject as finally approved in Opinion 133 reads as follows :—

(1) Pirilot raises an important question in regard to PHOXOCEPHALIDAE, namely :

(2) Must the oldest included generic name be taken as type for the family name? To this, the answer is in the negative.

(3) Article 4 of the Rules reads : " The name of a family is formed by adding the ending *idae*, the name of a subfamily by adding *inae*, to the stem of the name of its type genus."

(4) This rule does not prescribe how the type genus is to be selected; and in the absence of restrictions covering this point it is to be assumed

that, in accordance with custom, the original author is free to select as type genus any generic unit that he prefers. This is in harmony with the spirit of Article 30, which obviously leaves an original author of a genus entirely free to select as type species any species he wishes thus to designate. If the original author of a family (or of a genus) were compelled to select as type the oldest genus (or the oldest species) in the proposed family (or genus), this might confine his choice to a little known and very rare taxonomic unit—a restriction which would obviously be contrary to the interest both of taxonomy and of nomenclature. In this connection it is to be recalled that the "type" selected is the nomenclatorial type as distinguished from the assumed anatomical norm.

(5) Since (with the exception of isolated instances by early authors) family names are based upon the name of the respective type genus, such family name constitutes, *ipso facto*, a definite designation of the type genus. For instance, *Musca* is definitely and unambiguously designated generic type by the use of the family MUSCIDÆ, *Homo* of HOMINIDÆ, *Ascaris* of ASCARIDÆ, etc. It would be a nomenclatorial *reductio ad absurdum* to consider any other genus as type of any of these families. The concepts of a given family are not identical as adopted by different authors and if the rule obtained that the oldest genus must be the type genus of the family, the family name would be constantly subject to possible change according to the subjective ideas of authors from year to year; accordingly, even relatively stable nomenclature for family names would be hopeless, and synonymy in family names would be potentially indefinite and chaotic.

In the Opinion as published the paragraphs quoted above were unnumbered but numbering has been inserted on the present occasion in order to facilitate reference to particular passages in the analysis given in paragraph 17 below.

14. The following thirteen (13) Commissioners concurred in the whole of Opinion 133 from which the above passage is an extract:—

Cabrera; Calman; Chapman; Esaki; Fantham; Hemming; Jordan; Peters; Richter; Silvestri; Stejneger; Stiles; Stone.

Commissioner Hemming's vote was received before the issue of the Opinion but too late for his name to be included in the Opinion among the Commissioners who voted for the whole of that document.

15. In signifying his concurrence in Opinion 133, Commissioner Stone added the following note:—

I concur in the Opinion that the first author to fix a type genus for a family is free to select any contained genus as the type, but in case the name then used for that genus is found to be untenable the family name changes in accordance with the change in the generic name.

For example, the American Wood Warblers were named SYLVICOLIDÆ by Gray, based on the genus *Sylvicola* (type *Parus americanus* Linn.), but *Sylvicola* was found to be preoccupied in mollusks and as a substitute *Compsothlypis* was proposed, and the family name changes to COMPSOTHYPIDÆ. If this were not done we might have *Sylvicola* for mollusks and SYLVICOLIDÆ for Birds!

Commissioner Silvestri, who recorded his vote for Opinion 133 after Commissioner Stone's note had been circulated to the

members of the Commission, stated : " I agree perfectly with the opinion of Commissioner Stone ". It will be observed that the note added by Commissioners Stone and Silvestri is not concerned with Article 4 of the Code (which relates to the naming of families and subfamilies) but is an amplification of Article 5 (which relates to the circumstances in which it is necessary to change the name of a family or subfamily).

16. One (1) Commissioner (Apstein) dissented from the portion of Opinion 133 relating to the naming of families and subfamilies.

17. The principles to be observed in interpreting Article 4 of the Code that are enunciated in the passage in Opinion 133 quoted in paragraph 13 above are the following :—

- (a) In paragraph (2) the Commission lay it down that it is not necessary that the oldest included generic name should be taken as the type genus of a family and therefore used in forming the name of the family. This is the proposition on which, as shown in paragraphs 7 and 8 above, the Commission adopted a resolution at their Lisbon Meeting.
- (b) In the first sentence of paragraph (4) the Commission state that the original author of a family " is free to select as type genus any generic unit that he prefers ". In the third sentence of the same paragraph the Commission point out that, if the original author of a family were compelled to select as type the oldest genus, the result might be that the type genus of the family would be a little known and very rare taxonomic unit—a result that would be contrary to the interest both of taxonomy and of nomenclature.
- (c) In the first sentence of paragraph (5) the Commission state that, with the exception of isolated instances by early authors, family names " are based upon the name of the respective type genus " and that a family name so established " constitutes, *ipso facto*, a definite designation of the type genus ". In the second sentence of the same paragraph, the Commission illustrate this principle by giving three examples, of which the first is provided by the names *Musca* and MUSCIDAE. The Commission point out that by the use of the name MUSCIDAE the genus *Musca* is definitely and unambiguously designated as the type genus of that family.

As drafted Opinion 133 refers in terms only to family names but, as it is a statement of the principles to be observed in interpreting

Article 4 of the Code, which refers to subfamily names equally with family names, it follows that the principles enunciated in Opinion 133 apply also to subfamily names. That this was so as regards the first of the three principles in question was moreover expressly stated in the resolution adopted by the Commission at Lisbon (see paragraph 7 above).

18. Thus the principles to be observed in interpreting Article 4 of the Code (i) as set out in the resolution adopted by the Commission at their Lisbon Meeting in September 1935 (paragraph 7 above) and (ii) as amplified in the second part of Opinion 133 issued in October 1936 (paragraphs 13 and 17 above) may be summarised as follows :—

Summary :—The following principles are to be observed in interpreting Article 4 of the International Code :—

- (1) The oldest available generic name in the family need not be taken as the type genus of the family.
- (2) An author establishing a new family is free to select as the type genus of that family whatever generic unit he considers the most appropriate.

NOTE :—So far as possible, the genus selected should be the best known and commonest of the taxonomic units concerned, *i.e.* it should be the most central of the genera proposed to be included in the family so established.

- (3) The name of a family is based upon the name of its type genus. The fact that a given generic name is selected to form the name of a family constitutes *ipso facto* a definite designation of that genus as the type genus of that family. Example :—The genus *Musca* Linnaeus, 1758, is definitely and unambiguously designated as the type genus of the family MUSCIDAE by reason of the stem of the word *Musca* being used in the formation of the family name.

NOTE :—There are a few well-established family names proposed by early authors where the foregoing principle has not been observed. Such names should be treated as exceptions. Any case of doubt should be referred to the Commission for decision.

- (4) The principles set out in (1) to (3) above in regard to family names apply equally to the names of subfamilies.

19. The propositions set out in paragraph 18 above have been concurred in by nineteen (19) Commissioners either when concurring in Opinion 133 or at Lisbon (either personally or through

Alternates) when adopting the resolution set out in paragraph 7 above :—

Commissioners :—Cabrera; Calman; Chapman; Esaki; Fantham; Hemming; Jordan; Pellegrin; Peters; Richter; Stejneger; Stiles; Stone.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; Mortensen *vice* Apstein.

20. One (1) Commissioner (Apstein), whose Alternate at Lisbon had voted in favour of these propositions, subsequently voted against the portion of Opinion 133 relating to the interpretation of Article 4 of the Code. Two Commissioners (Bolivar and Horvath) who were neither present at Lisbon nor represented there by Alternates did not vote on Opinion 133; in consequence neither voted on the matters dealt with in the present Opinion.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the Suspension of the Rules, an Opinion is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed Opinion involves a reversal of any former Opinion rendered by the Commission, such proposed Opinion shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such Opinion is to be deemed to have been adopted by the Commission; and

WHEREAS the present Opinion neither requires, to be valid, the Suspension of the Rules, nor involves a reversal of any former Opinion rendered by the Commission; and

WHEREAS nineteen (19) Members of the Commission have signified their concurrence in the propositions set out in the present Opinion either personally or through Alternates at the Meeting of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and

every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as Opinion Number One Hundred and Forty One of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this twenty-sixth day of December, Nineteen Hundred and Forty Two, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

NOTICES.

The undermentioned publications of the International Commission on Zoological Nomenclature are obtainable at the Publications Office of the Commission, 41, Queen's Gate, London, S.W. 7 :—

- OPINION 134. On the method to be adopted in interpreting the generic names assigned by Freyer to species described in his *Neuere Beiträge zur Schmetterlingskunde*, 1833-1858 . price 8*d.*
- OPINION 135. The suppression of the so-called "Erlangen List" of 1801 . price 8*d.*
- OPINION 136. Opinion supplementary to Opinion 11 on the interpretation of Latreille's *Considérations sur l'ordre naturel des animaux composant les classes des Crustacés, des Arachnides et des Insectes avec un tableau méthodique de leurs genres disposés en familles*, Paris, 1810 . price 1*s. od.*

- OPINION 137. On the relative precedence to be accorded to certain generic names published in 1807 by Fabricius and Hübner respectively for identical genera in the Lepidoptera Rhopalocera price 1s. 6d.
- OPINION 138. On the method by which the amendment to Article 25 of the International Code adopted by the Budapest Meeting of the International Zoological Congress, relating to the replacement of invalid names, should be interpreted price 1s. 6d.
- OPINION 139. The name *Cephus* Latreille, [1802–1803] and *Astata* Latreille, 1796, in the Hymenoptera added to the Official List of Generic Names . . . price 2s. 6d.
- OPINION 140. On the method of forming the family names for *Merops* Linnaeus, 1758 (Aves) and for *Merope* Newman, 1838 (Insecta) . . . price 2s. 0d.
- OPINION 141. On the principles to be observed in interpreting Article 4 of the International Code relating to the naming of families and sub-families price s.2 6d.

NOTE :—Opinions One to One Hundred and Thirty-Three (Opinions 1–133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself owing to lack of funds. Through the intermediary of the late Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions in the *Smithsonian Miscellaneous Collections*. Unfortunately, all except a few of the later of the above Opinions are now out of print, and are therefore not obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of *Opinions Rendered by the International Commission on Zoological Nomenclature*.

OPINIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2
(pp. 67-80)

OPINION 142

Suspension of the Rules for *Satyrus*
Latreille, 1810 (Insecta, Lepidoptera)

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1943

Price two shillings and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 142.

SUSPENSION OF THE RULES FOR *SATYRUS* LATREILLE, 1810 (INSECTA, LEPIDOPTERA).

SUMMARY.—Under Suspension of the Rules *Papilio actaea* Esper, [1780], is hereby designated as the type of *Satyrus* Latreille, 1810 (Insecta, Lepidoptera) and that genus, so defined, is hereby added to the Official List of Generic Names in Zoology.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission in a letter dated 24th October 1934, in which Commissioner Francis Hemming and Mr. N. D. Riley, Keeper of the Department of Entomology, British Museum (Natural History), acting on behalf also of Mr. W. H. T. Tams, Assistant Keeper, Department of Entomology, British Museum (Natural History), jointly invited the Commission to render Opinions in regard to this, and certain other, generic names in the Lepidoptera. The passage in that letter relating to the name *Satyrus* Latreille reads as follows:—

- (c) Finally, jointly with our colleague Mr. Tams, who is concerned from the point of view of the Heterocera, we ask the International Commission to issue an Opinion declaring against the validity of Retzius, *Gen. Spec. Ins. Geer* published in 1783. In this connection we ask also for a complementary Opinion to add the name *Satyrus* Latreille, 1810, to the Official List of Generic Names. For a statement of reasons for making these recommendations, see Hemming, 1934, *Gen. Names hol. Butt.* 1: 35-40.

2. In a further letter dated 1st December 1934, Commissioner Hemming explained that he had prepared for the consideration of the Commission a condensed statement of the grounds on which the proposed action was sought, partly because the statement so prepared was in a much more convenient form than the note on the genus *Satyrus* contained in the work referred to above and partly because he was anxious that the consideration of the case of that genus should not become involved in the controversy relating to the meaning of the term "binary nomenclature", a risk which he thought might otherwise arise. The condensed statement so submitted by Commissioner Hemming reads as follows:—

Case of the generic name *Satyrus* Latreille, 1810.

The following is a condensed statement of the grounds on which I request the International Commission on Zoological Nomenclature to render an Opinion on the case of the name *Satyrus* Latreille, 1810, and the nature of the Opinion desired :—

- (a) From the five species given by Latreille in 1810 (*Consid. gén. Anim. Crust. Arach. Ins.* : 355, 440) for the then new genus *Satyrus* Latreille, the first to be selected as the type of that genus under Article 30 (II) (g) of the International Code was *Papilio galathea* Linnaeus, 1758, that species having been so designated by Scudder in 1875 (*Proc. Amer. Acad. Arts Sci., Boston* 10 : 265, 266).
- (b) There are two common palaeartic species of SATYRIDAE, namely *Papilio megera* Linnaeus, 1767, and *Papilio maera* Linnaeus, 1758, to which has been applied the French vernacular name " le Satyre ". Both these species have been referred almost invariably for over 100 years to the genus *Pararge* Hübner, [1819], of which the congeneric species *Papilio aegeria* Linnaeus, 1758, is the type.
- (c) Crotch claimed (1872, *Cistula ent.* 1 : 62) that *Papilio megera* Linnaeus, 1767, was the type of the genus *Satyrus* Latreille on the ground that " this is the species commonly called ' le Satyre ' and hence evidently the true type of the genus ".
- (d) Crotch's conclusion was not adopted by lepidopterists either then or subsequently. Similarly Scudder's selection of *Papilio galathea* Linnaeus as the type of this genus was completely ignored, that species continuing for many years to be referred to the genus *Melanargia* Meigen, 1828, of which it is the type.
- (e) Both in the time of Crotch and Scudder and almost universally ever since, Lepidopterists have treated *Satyrus* Latreille as though its type were one of the large palaeartic " Browns ", of which the British " Grayling " (*Papilio semele* Linnaeus, 1758) is a familiar example.
- (f) Quite recently Higgins (1934, *Ent. Rec.* 46 : 44) has claimed that *Papilio maera* Linnaeus is the type of *Satyrus* Latreille by absolute tautonymy under Article 30 (I) (d) of the International Code, the argument brought forward in support of this contention being that one of the synonyms of *Papilio maera* Linnaeus is *Papilio satyrus* Retzius, 1783.
- (g) The argument in (f) above is valid only :—
 - (i) if it can properly be accepted that *Papilio maera* Linnaeus is one of the species originally included by Latreille in the genus *Satyrus*; and
 - (ii) if Retzius, 1783, *Gen. Spec. Ins. Geer*, is a work that can properly be accepted for nomenclatorial purposes.
- (h) Until the issue of Opinion 11 by the International Commission on Zoological Nomenclature it would have been possible to argue that the species cited by Latreille in 1810 for the genera there indicated were no more than examples of the species that belonged to the respective genera, notwithstanding the fact that he spoke of them in relation to those genera as " l'espèce qui leur sert de type ". On this basis it would have been possible to argue that *Papilio maera* Linnaeus was one of the species covered by Latreille's diagnosis for the genus *Satyrus* and was one of the species included by him in that genus although he did not cite it by name. Since the issue of Opinion 11, which lays it down that the species cited by Latreille in 1810 are to be taken as the types of the genera in question and not as mere examples of typical species referable to those genera, this view (whatever its former merits) seems no longer tenable.

- (i) Whatever may be the correct interpretation of the term "binary nomenclature" and therefore the status of genera first published in Retzius, 1783, *Gen. Spec. Ins. Geer*, it cannot possibly be claimed that this work of Retzius's is a binominal work, in spite of the fact that in the case of his *Papilio satyrus* (as contrasted with many other names used in the same work) Retzius used a binominal combination. If therefore—as seems to me clearly to be the case—new specific names (even when apparently binominal) published by Retzius in 1783 must be rejected under Article 25 (b) of the Code, no argument regarding the type of *Satyrus* Latreille can be validly based upon the use by Retzius on this occasion of the words *Papilio satyrus* to describe the species previously named *Papilio maera* by Linnaeus.
- (j) For the reasons given in (h) and (i) above it appears to me to be perfectly clear that there is no substance in the claim that the type of *Satyrus* Latreille is *Papilio maera* Linnaeus by absolute tautonymy. It follows from this that Scudder's selection of *Papilio galathea* Linnaeus as the type (see (a) above) is perfectly valid under the Code.
- (k) It is extremely important, however, that in the case of an important genus such as the present which is the type genus of a very well-known family (SATYRIDÆ) there should be no room of any kind for argument as to the type of the genus. In order therefore to settle this matter once and for all, I consider that it is very desirable that the International Commission should render an Opinion definitely fixing the type of this genus.
- (l) The proposal which, jointly with Mr. N. D. Riley and Mr. W. H. T. Tams, I have submitted to the International Commission is that they should render Opinions, if necessary under Suspension of the Rules, (a) declaring that *Papilio galathea* Linnaeus, 1758, is the type of *Satyrus* Latreille, 1810, and putting that genus, so defined, on the Official List of Generic Names, and (b) declaring that specific names first published by Retzius in 1783 (*Gen. Spec. Ins. Geer*) have no status in nomenclature, since in that work Retzius did not use the binominal system of nomenclature.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case, as presented to the Commission, involved two entirely distinct problems, namely (a) what is the type of the genus *Satyrus* Latreille, 1810, under the Code, and (b) should Retzius, 1783, *Gen. Spec. Ins. Geer*, be accepted for the purposes of Article 25 (b) of the Code as the work of an author who had applied the principles of binary nomenclature. The first of these problems was of interest only to specialists in the Lepidoptera; the second raised much wider issues since it involved not only the status of Retzius, 1783, but also the meaning to be attached to the term "binary nomenclature" as used in the International Code. At the time that the present case was submitted to the Commission, this latter problem was one of especial difficulty since at their meeting held at Padua in 1930 the Eleventh International Congress of Zoology had passed a resolution on this subject which was awaiting consideration by the Permanent Committee of the International Zoological Congresses when that body should next

meet at the Twelfth International Congress of Zoology at Lisbon in the following year (1935). In these circumstances the International Commission decided as a first step to invite the International Committee on Entomological Nomenclature to consider and report upon the purely entomological aspects of the present application, while reserving for later consideration the portion of the application which involved the interpretation of the term "binary nomenclature".

4. This case was accordingly considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. In the course of the preliminary discussion of this case it became apparent that there was a strong feeling not only among Lepidopterists on both sides of the Atlantic but also generally among the members of the International Committee that in the case of an extremely well-known name (such as *Satyrus* Latreille) that had been the type genus of a family for over a hundred years it was essential that the type of that genus should be a species belonging to the group which for so many years had universally been referred to that genus. Any other course, it was felt, would clearly result in greater confusion than uniformity. At this point, Commissioner Hemming, who was present at the discussion as a member of the International Committee, indicated that the proposal which Messrs. Riley, Tams and he had submitted to the International Commission on Zoological Nomenclature in the case of *Satyrus* Latreille had been designed solely with the object of securing a binding decision on the disputed question of the species which under the Code should be accepted as having been validly designated as the type of that genus. He and his colleagues had always recognised that, unless the rules were suspended, there would be no possibility of securing as the type of this important genus a species belonging to the group that had for so long universally been accepted as belonging to the genus *Satyrus* Latreille. In view of the feeling that had been expressed in the International Committee in favour of a more radical solution, he would very gladly prepare an amended petition in substitution for that submitted to the International Commission on Zoological Nomenclature in 1934. Before doing so, he would wish to consult with Messrs. Riley and Tams (who had acted jointly with him in submitting the original proposal to the International Commission) and with other lepidopterists then present in Madrid for the

meeting of the Sixth International Congress of Entomology. The International Committee approved this proposal and invited Commissioner Hemming to prepare a revised statement accordingly.

5. The following is the text of the revised proposals for dealing with this case prepared by Commissioner Hemming during the Madrid meeting for the consideration of the International Committee on Entomological Nomenclature :—

THE CASE OF *SATYRUS* LATREILLE, 1810.

Revised proposals submitted by Mr. Francis Hemming to the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935.

(1) In accordance with the request of the International Committee on Entomological Nomenclature, I submit herewith for their consideration the following revised proposals for dealing with the case of *Satyrus* Latreille, 1810. These proposals are in substitution for the more limited proposals on this subject submitted to the International Commission on Zoological Nomenclature by Mr. N. D. Riley, Mr. W. H. T. Tams and myself in 1934.

(2) The relevant considerations in this case are the following :—

(a) When founding the genus *Satyrus* (1810, *Consid. gén. Anim. Crust. Ins.* : 355, 440), Latreille included five species in the genus but specified no type.

(b) Of Latreille's originally included species, three are not today regarded as belonging to the SATYRIDÆ. These species are :—

(i) *Papilio teucer* Linnaeus, 1758, is referred to the genus *Caligo* Fabricius, 1807, in the BRASSOLIDÆ.

(ii) *Papilio phidippus* Linnaeus, 1763, is the type of *Amathusia* Fabricius, 1807, the type genus of the family AMATHUSIIDÆ.

(iii) *Papilio sophoræ* Linnaeus, 1758, is the type of *Brassolis* Fabricius, 1807, the type genus of the family BRASSOLIDÆ.

(c) Of the two remaining species originally placed in the genus *Satyrus* by Latreille, *Papilio piera* Linnaeus, 1758, is the type of the Neotropical genus *Haetera* Fabricius, 1807, and *Papilio galathea* Linnaeus, 1758, is the type of the Palearctic genus *Agapetes* Billberg, 1820 (and of the more commonly used *Melanargia* Meigen, 1828).

(d) The two first type designations for *Satyrus* Latreille are invalid under the Code, since in each case the species so designated is not one of the species originally included in the genus by Latreille. The species in question are :—

(i) *Papilio constantia* Cramer, [1777], designated by Butler, 1867 (*Entomologist* 3 : 279); and

(ii) *Papilio actæa* Esper, [1780], designated by Butler in 1868 (*Ent. mon. Mag.* 4 : 194).

(e) In 1872 (*Cistula ent.* 1 : 62) Crotch designated *Papilio megera* Linnaeus, 1767, as the type of this genus on the ground that "this is the species commonly called 'le Satyre' and hence evidently the true type of the genus". This designation is invalid, since *Papilio megera* Linnaeus is not one of Latreille's originally included species.

(f) The first of Latreille's originally included species to be designated as the type of this genus was *Papilio galathea* Linnaeus, 1758, which was so designated by Scudder in 1875 (*Proc. Amer. Acad. Arts Sci., Boston* 10 : 265, 266).

(3) No well-known generic name would be displaced by accepting *Papilio galathea* Linnaeus as the type of *Satyrus* Latreille, but that course is open to very strong objection, since the transfer so involved would disturb the universally accepted practice of over 100 years by removing *Satyrus* Latreille from the great group of species of which *Papilio semele* Linnaeus, 1758 (the British "Grayling") is a representative example. For lists of the species normally placed in the genus *Satyrus* Latreille, see Staudinger (1901, in Staudinger & Rebel, *Cat. Lepid. pal. Faunengeb.* 1: 53-59) and Seitz ([1908], *Grossschmett. Erde* 1: 121-132).

(4) The only other species now accepted as belonging to the SATYRIDAE that was placed in the genus *Satyrus* by Latreille is (as shown in paragraph (2) (c) above) *Papilio piera* Linnaeus, 1758. Quite apart from the fact that this species is the type of the well-known genus *Haetera* Fabricius, 1807, an older name than *Satyrus* Latreille, the selection of that species as the type of *Satyrus* Latreille would be far more objectionable than the selection of *Papilio galathea* Linnaeus, since it would involve a still greater change in the meaning to be applied to that genus.

(5) If therefore *Satyrus* Latreille is to be preserved in its commonly accepted sense, it will be necessary for the International Commission by using its plenary powers to fix as the type of this genus under suspension of the rules a species that was not included in it by Latreille. I recognise that this is a drastic step but nevertheless it is the one which I recommend should be adopted, since any other course would clearly result in greater confusion than uniformity. As regards the species so to be designated as the type of *Satyrus* Latreille, I recommend that this should be *Papilio actaea* Esper, [1780], since (a) that species is a good example of the group of species that have for so long been placed in this genus and (b) it was selected (though erroneously under the present Code) as the type of this genus by Butler as long ago as 1868.

(6) I have discussed this problem with Mr. Riley, Mr. Tams and other lepidopterists now present in Madrid and with Professor James Chester Bradley who is in possession of the views on this subject of representative lepidopterists in the United States. All whom I have consulted are in agreement with the recommendation set out above.

6. On further consideration of this case, the International Committee on Entomological Nomenclature agreed to recommend the International Commission on Zoological Nomenclature under suspension of the rules to fix *Papilio actaea* Esper as the type of *Satyrus* Latreille for the reasons set out in the statement given in the preceding paragraph. At the same time, the International Committee agreed that the need for a final settlement of the type of this genus was so great that, if the International Commission were to take the view that this was too drastic a course to adopt, it was desirable that they should give further consideration to the more limited proposals already before them on this subject. This, and other, recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

7. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken and that, in so far as this involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no Opinion should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the genus *Satyrus* Latreille was one of the cases in question and was accordingly dealt with by the Commission at Lisbon under the above procedure.

8. This case was considered by the International Commission at their meeting held on Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 22), when the Commission agreed* :—

- (a) to suspend the rules in the case of the following generic names :—

.....
 (ii) *Satyrus* Latreille, 1810, *Consid. gén. Anim. Crust. Arach. Ins.* : 355, 440 ;

-
 (c) to declare that the type of *Satyrus* Latreille, 1810, is *Papilio actaea* Esper, [1780], *Die Schmett.* 1 (Bd. 2) *Forts. Tag-schmett.* : 37 ;

* Only those portions of Conclusion 22 which relate to the present case are here quoted.

- (i) to add the generic names . . . *Satyrus* Latreille, 1810, . . . to the Official List of Generic Names, with the type[s] indicated above;

- (k) to take note that in view of the decision set out in (a), (c), and (i) above, the request for an Opinion rejecting specific names first published in Retzius, 1783, *Caroli Degeer genera et species Insectorum et generalissimi auctoris scriptis extraxit, digessit, latine quoad partem reddidit, et terminologiam Insectorum Linneanum addidit A. I. Retzius* submitted to the Commission in 1934 had been withdrawn by the petitioners;
- (l) to render Opinions in the sense of (a) to (k) above.

9. The foregoing decisions in regard to the name *Satyrus* Latreille were embodied in paragraph 28 of the Report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. This report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

10. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 7 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where in the judgment of the Commission the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an Opinion in the terms proposed.

11. The Opinion as set out in paragraph 8 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

12. The present Opinion was dissented from by no Commissioner or Alternate present at the Lisbon Meeting. Nor since that Meeting has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above Opinion :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the Ninth International Congress of Zoology at its Meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the Rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said Rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible Suspension of the Rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed Suspension of the Rules; and

WHEREAS the Suspension of the Rules is required to give valid force to the provisions of the present Opinion; and

WHEREAS not less than one year's notice of the possible Suspension of the Rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its Meeting held in Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Meeting was unanimously in favour of the issue of an Opinion in the terms of the present Opinion ;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as Opinion One Hundred and Forty Two (Opinion 142) of the said Commission.

In faith whereof, I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this twelfth day of January, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

NOTICES.

The undermentioned publications of the International Commission on Zoological Nomenclature are obtainable at the Publications Office of the Commission, 41, Queen's Gate, London, S.W. 7 :—

- OPINION 134. On the method to be adopted in interpreting the generic names assigned by Freyer to species described in his *Neuere Beiträge zur Schmetterlingskunde*, 1833-1858 price 8*d.*
- OPINION 135. The suppression of the so-called " Erlangen List " of 1801 price 8*d.*
- OPINION 136. Opinion supplementary to Opinion 11 on the interpretation of Latreille's *Considérations générales sur l'ordre naturel des animaux composant les classes des Crustacés, des Arachnides et des Insectes avec un tableau méthodique de leurs genres disposés en familles*, Paris, 1810 price 1*s. od.*
- OPINION 137. On the relative precedence to be accorded to certain generic names published in 1807 by Fabricius and Hübner respectively for identical genera in the Lepidoptera Rhopalocera price 1*s. 6d.*
- OPINION 138. On the method by which the amendment to Article 25 of the International Code adopted by the Budapest Meeting of the International Zoological Congress, relating to the replacement of invalid names, should be interpreted price 1*s. 6d.*
- OPINION 139. The names *Cephus* Latreille, [1802-1803], and *Astata* Latreille, 1796, in the Hymenoptera added to the Official List of Generic Names price 2*s. 6d.*
- OPINION 140. On the method of forming the family names for *Merops* Linnaeus, 1758 (Aves) and *Merope* Newman, 1838 (Insecta) price 2*s. 6d.*
- OPINION 141. On the principles to be observed in interpreting Article 4 of the International Code relating to the naming of families and sub-families price 2*s. 6d.*
- OPINION 142. Suspension of the Rules for *Satyrus* Latreille, 1810 (Insecta, Lepidoptera) price 2*s. 6d.*

NOTE :—Opinions One to One Hundred and Thirty-Three (Opinions 1-133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself owing to lack of funds. Through the intermediary of the late Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions in the *Smithsonian Miscellaneous Collections*. Unfortunately, all except a few of the later of the above Opinions are now out of print, and are therefore not obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of *Opinions rendered by the International Commission on Zoological Nomenclature*.

PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

**OPINIONS RENDERED BY THE
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2

(pp. 81-88)

OPINION 143

On the method of forming the family name
for *Tingis* Fabricius, 1803 (Insecta, Hemiptera)

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1943

Price two shillings and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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Assistant Secretary : Dr. James L. Peters (U.S.A.).

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* This vacancy was caused by the death on 23rd May, 1939, of Dr. Witmer STONE (U.S.A.).

† This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).



OPINION 143.

ON THE METHOD OF FORMING THE FAMILY NAME FOR *TINGIS* FABRICIUS, 1803 (INSECTA, HEMIPTERA).

SUMMARY.—The family name for *Tingis* Fabricius, 1803 (*Syst. Rhynq.* : 124) in the Hemiptera is TINGIDAE.

I.—THE STATEMENT OF THE CASE.

The question of the form of the family name for *Tingis* Fabricius, 1803, was first submitted to the Commission by Dr. A. C. Baker of East Falls Church, Va., in January 1923. The following is the text of Dr. Baker's note :—

TINGITIDAE, TINGIDAE OR TINGIIDAE.

Dr. W. J. Holland (1922, *Science* 56 : 334-335) contends that Fabricius intended to use the word *Tinge*, the Latin equivalent of the Greek word *Tlyyys*, of which the stem is *Tingit*. He, therefore, makes the family name TINGITIDAE.

Dr. H. M. Parshley (1922, *Science* 56 : 449) contends that Fabricius coined the word *Tingis* and did not base it on the Greek word *Tlyyys* and following the genitive used by Fabricius he makes the word an i-stem and writes the family name TINGIDAE.

Dr. Baker (1922, *Science* 56 : 603) contends that Fabricius introduced into the Latin language the Greek word *Tlyyys* and since an i-stem in Greek made it an i-stem in Latin. Following Article 4 strictly he writes the family name TINGIIDAE.

Dr. Holland (1922, *Science* 56 : 535-536) replies to Dr. Parshley objecting to his stand.

Dr. Parshley (1922, *Science* 56 : 754) accepts Dr. Baker's conclusion about the origin of the word but objects to the application of Article 4. He claims that Dr. Baker introduced this use in such cases.

Dr. Baker informs you of the fact that the word mentioned by Dr. Parshley, APHIIDAE, has been in the literature for ten years so that others have followed Article 4 in such cases.

Shall Article 4 be followed?

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. After preliminary consideration, the Commission decided to invite the International Committee on Entomological Nomenclature to advise them on the merits of the alternatives submitted in connection with this name.

3. This case was considered by the International Committee on Entomological Nomenclature at its meeting held in Paris in 1932 during the Meeting of the Fifth International Congress of Entomology. The International Committee adopted the following Resolution in this matter :—

TINGIDAE *versus* TINGITIDAE *et* TINGIIDAE.

Tingis étant un nom latin dont le génitif est *Tingis* et l'accusatif *Tingim*, TINGIDAE est la forme correcte du nom de la famille.

4. This Resolution was unanimously confirmed by Section VIII of the Fifth International Congress of Entomology and by the said Congress in Concilium Plenum on the presentation of the Report of the Secretary of the Executive Committee.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

5. The resolution adopted by the International Committee on Entomological Nomenclature was considered by the International Commission on Zoological Nomenclature at the second meeting of the Session held at Lisbon in September 1935 during the meeting of the Twelfth International Congress of Zoology. At this meeting, which was held on the morning of Monday, 16th September 1935, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 12) :—

- (a) that the form of the family name to be established for the genus *Tingis* Fabricius, 1803 (*Syst. Rhyng.* : 124) in the Hemiptera was a question which affected entomologists alone and in consequence was a matter on which the Commission could properly be guided by the International Congress of Entomology ;
- (b) in view of (a) above, to render an Opinion declaring that the family name for the genus *Tingis* Fabricius, 1803, was TINGIDAE.

6. At their meeting held at Lisbon on the morning of Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the Report to be submitted by the Commission to the Twelfth International Congress of

Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3 (b)) he had made a start with the drafting of the Commission's Report; that he made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft Report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon meetings of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3 (a) (iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the Report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the Report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their Report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in that Report.

7. The question dealt with in the present Opinion was one of the matters to which it was found impossible, in the time available, to include a reference in the Report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the special procedure agreed upon by the Commission as set out in paragraph 6 above.

8. The present Opinion was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

9. The present Opinion was dissented from by no Commissioner or Alternate at the Lisbon Meeting.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the Suspension of the Rules, an Opinion is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed Opinion involves a reversal of any former Opinion rendered by the Commission, such proposed Opinion shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such Opinion is to be deemed to have been adopted by the Commission; and

WHEREAS the present Opinion neither requires, in order to be valid, the Suspension of the Rules, nor involves a reversal of any former Opinion rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present Opinion either in person or through Alternates at the Meeting of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as Opinion Number One Hundred and Forty Three (Opinion 143) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this twenty-seventh day of January, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

NOTICES.

The undermentioned publications of the International Commission on Zoological Nomenclature are obtainable at the Publications Office of the Commission, 41, Queen's Gate, London, S.W. 7:—

- OPINION 134. On the method to be adopted in interpreting the generic names assigned by Freyer to species described in his *Neuere Beiträge zur Schmetterlingskunde*, 1833-1858 price 8d.
- OPINION 135. The suppression of the so-called "Erlangen List" of 1801 price 8d.
- OPINION 136. Opinion supplementary to Opinion 11 on the interpretation of Latreille's *Considérations générales sur l'ordre naturel des animaux composant les classes des Crustacés, des Arachnides et des Insectes avec un tableau méthodique de leurs genres disposés en familles*, Paris, 1810 price 1s. 0d.
- OPINION 137. On the relative precedence to be accorded to certain generic names published in 1807 by Fabricius and Hübner respectively for identical genera in the Lepidoptera Rhopalocera price 1s. 6d.
- OPINION 138. On the method by which the amendment to Article 25 of the International Code adopted at the Budapest Meeting of the International Zoological Congress, relating to the replacement of invalid names, should be interpreted price 1s. 6d.
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- OPINION 143. On the method of forming the family name for *Tingis* Fabricius, 1803 (Insecta, Hemiptera) price 2s. 6d.

OPINIONS 1-133. The bulk of these are out of print and it is accordingly proposed to reprint them, as soon as funds permit, as Volume 1 of *Opinions rendered by the International Commission on Zoological Nomenclature*.

**OPINIONS RENDERED BY THE
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2

(pp. 89-98)

OPINION 144

On the status of the names *Crabro* Geoffroy,
1762, *Crabro* Fabricius, 1775, and *Cimbex*
Olivier, 1790 (Insecta, Hymenoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1943

Price two shillings and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION OF THE COMMISSION

The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (United Kingdom).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

Assistant Secretary : Dr. James L. Peters (U.S.A.).

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83, Fellows Road (Garden Flat), London, N.W. 3.

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OPINION 144.

ON THE STATUS OF THE NAMES *CRABRO* GEOFFROY, 1762, *CRABRO* FABRICIUS, 1775, AND *CIMBEX* OLIVIER, 1790 (INSECTA, HYMENOPTERA).

SUMMARY.—Under suspension of the rules (i) the name *Crabro* Geoffroy, 1762, is suppressed ; (ii) all existing type designations for *Crabro* Fabricius, 1775, and *Cimbex* Olivier, 1790, are set aside ; (iii) *Vespa cribraria* Linnaeus, 1758, is hereby designated as the type of *Crabro* Fabricius; and (iv) *Tenthredo lutea* Linnaeus, 1758, is hereby designated as the type of *Cimbex* Olivier. The names *Crabro* Fabricius and *Cimbex* Olivier, with the types indicated above, are hereby added to the Official List of Generic Names in Zoology.

I.—THE STATEMENT OF THE CASE.

Attention was first drawn by Professor James Chester Bradley in 1919 (*Trans. ent. Soc. Lond.* 1919 : 66–67) to the serious difficulties arising from the strict application of the rules in the case of the names *Crabro* Fabricius, 1775, and *Cimbex* Olivier, 1790. The difficulties involved in this case led Professor Chester Bradley to consult the leading systematic workers in all countries on the course of action to be pursued. As the result of these consultations, the following petition signed by Professor Chester Bradley and 59 other Hymenopterists was submitted to the International Commission :—

THE CASE OF *CRABRO* AND *CIMBEX*

“ In *Trans. ent. Soc. Lond.* 1919 : 66, Bradley has shown that the valid name under the code for the genus of the common willow sawfly is *Crabro* Geoffr. rather than *Cimbex* by which it has been universally known, and as it is the type of its family the CIMBICIDAE must be changed to CRABRONIDAE despite the fact that *Crabro*, CRABRONINI, CRABRONINAE and CRABRONIDAE have been familiar and universally employed terms applied to groups of sphecoid wasps.

“ There seems to be no question as to the validity of *Crabro* Geoffr. under the Code as interpreted by Opinion 20, but since some Commissioners and Opinions have recently shown a tendency not to strictly adhere to that Opinion,* we wish to ask for a specific decision concerning the validity of *Crabro* Geoffr., 1762 (*nec* Fabricius, 1775).

* The question here referred to is at present *sub judice*. See paragraph 14 of the Report submitted by the International Commission on Zoological Nomenclature to, and approved by, the Twelfth International Congress of Zoology (*Compte Rendu XII^e Congrès international de Zoologie Lisbonne 1935* : 184–185).

" In case you sustain the validity of *Crabro* Geoffr. we hereby pray for relief from the intolerable situation resulting, and respectfully petition you to invoke the plenary power granted you by the Monaco Congress, and to take action as follows, to wit :

- (1) to suspend the Rules in the cases of

Crabro Geoffr., 1762

Crabro Fabr., 1775

- (2) to permanently reject

Crabro Geoffr., 1762

- (3) to validate

Cimbex Ol., 1790, type *Tenthredo lutea* L. (by designation of Latreille, 1810).

Crabro Fabr., 1775, type *Crabro cribrarius* i.e. *Vespa cribraria* L., for the genus of aculeate wasps commonly known by that name, and for the subgenus thereof referred to by Kohl (1915, *Die Crabronen der palaearktischen Region*) as *Thyreopus*.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission :—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken [†] *	H. Brauns ‡
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	H. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem [‡]	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiş
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	C. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	R. Kruger †
W. M. Mann	R. Roth	W. Hellen †
R. Friese	E. Enslin	F. X. Williams †
H. von Ihering ‡	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. P. Benson *	N. N. Kuznezov-Ugamit-
H. Hedicke	H. F. Schwarz	sky †
H. Bischoff	W. V. Balouf *	F. E. Lutz
L. Masi.	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

3. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommenda-

tions of the International Committee on Entomological Nomenclature would be available.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee agreed to recommend that the International Commission should deal with this case under their plenary powers in the manner indicated in the petition.

5. This and other resolutions adopted by the International Committee at its meeting held at Madrid were subsequently confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken and that, in so far as this involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no Opinion should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Crabro* Geoffroy, *Crabro* Fabricius, and *Cimbex* Olivier was one of the cases in question and was

accordingly dealt with by the Commission at Lisbon under the above procedure.

7. The present case was considered by the International Commission at their meeting held on the afternoon of Monday, 16th September 1935 (Lisbon Session, 3rd Meeting, Conclusion 2), when the Commission agreed * :—

- (b) under “ Suspension of the Rules ” permanently to reject the following generic names :—

(7) *Crabro* Geoffroy, 1762, *Hist. Ins. Paris* 2 : 261.

- (c) under “ Suspension of the Rules ” to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below :—

Name of genus	Type of genus
(19) <i>Cimbex</i> Olivier, 1790, <i>Ency. méth.</i> 5 (<i>Ins.</i>) : 762	<i>Tenthredo lutea</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) : 555
(20) <i>Crabro</i> Fabricius, 1775, <i>Syst. ent.</i> : 373	<i>Vespa cribraria</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) : 573

- (d) under “ Suspension of the Rules ” to place on the Official List of Generic Names the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated ;

- (e) to render Opinions in the sense of (a) to (d) above.

8. The foregoing decisions were embodied in paragraph 27 of the Report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. This report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was approved at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

* Only those portions of Conclusion 2 which relate to the present case are here quoted.

9. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session, this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the Rules as applied to any given case where in the judgment of the Commission the strict application of the Rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed Suspension of the Rules in the case of the names specified in paragraph 7 above, no communication of any kind has been received by the International Commission objecting to the issue of an Opinion in the terms proposed.

10. The Opinion as set out in paragraph 7 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

11. The present Opinion was dissented from by no Commissioner or Alternate present at the Lisbon meeting. Nor since that Meeting has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above Opinion :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the Ninth International Congress of Zoology at its Meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological

Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the Rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said Rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible Suspension of the Rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed Suspension of the Rules; and

WHEREAS the Suspension of the Rules is required to give valid force to the provisions of the present Opinion; and

WHEREAS not less than one year's notice of the possible Suspension of the Rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Meeting was unanimously in favour of the issue of an Opinion in the terms of the present Opinion;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as Opinion One Hundred and Forty Four (Opinion 144) of the said Commission.

In faith whereof, I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this ninth day of February, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

NOTICES.

The undermentioned publications of the International Commission on Zoological Nomenclature are obtainable at the Publications Office of the Commission, 41, Queen's Gate, London, S.W. 7 :—

- OPINION 134. On the method to be adopted in interpreting the generic names assigned by Freyer to species described in his *Neuere Beiträge zur Schmetterlingskunde*, 1833–1858 price 8*d.*
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OPINIONS 1–133. The bulk of these are out of print and it is accordingly proposed to reprint them, as soon as funds permit, as Volume 1 of *Opinions rendered by the International Commission on Zoological Nomenclature*.

PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

Ref -

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

Vol. 2. Part 12. Pp. 99-108.

OPINION 145

On the status of names first published in works rejected for nomenclatorial purposes and subsequently published in other works.

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1943

Price two shillings and sixpence

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President : Dr. Karl Jordan, Ph.D., F.R.S. (United Kingdom).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

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(vacant).*

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Dr. Tadeusz JACZEWSKI (Poland).

(vacant).†

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OPINION 145.

ON THE STATUS OF NAMES FIRST PUBLISHED IN WORKS REJECTED FOR NOMENCLATORIAL PURPOSES AND SUBSEQUENTLY PUBLISHED IN OTHER WORKS.

SUMMARY.—Where a work is rejected for nomenclatorial purposes, either under Article 25 of the International Code or under the plenary powers granted to the International Commission on Zoological Nomenclature, names (whether generic or specific) first published in such works are to be treated as having never been published. Where, therefore, an author subsequently establishes a genus or species to which he applies the same name as one of those in the rejected work, the later published name is available nomenclatorially and is not to be rejected as a homonym by reason of the earlier publication of that name in the work so rejected.

I.—THE STATEMENT OF THE CASE.

At their Session held at Lisbon in September 1935, the International Commission had under consideration a proposal that the long forgotten paper on generic names in the Hymenoptera commonly known as the "Erlangen List" should be suppressed on the ground that greater confusion than uniformity would clearly result if it were necessary to change the meaning to be attached to the many well-known genera in question by reason of the change in their type species that would follow inevitably from the acceptance of this paper.

2. In the course of the discussion of this proposal, attention was drawn to the need for a clear indication on the status of a name (whether generic or specific) (a) first published in a work subsequently rejected for nomenclatorial purposes and (b) later republished either (i) in some other sense or (ii) in the same sense. The question was whether a name so republished should be treated as available nomenclatorially, in view of the rejection of the work in which it had first been published; or whether, notwithstanding the rejection of that work, the name, when subsequently repub-

lished, should be treated as unavailable nomenclatorially as being a homonym.

3. It was pointed out that the latter of the two courses indicated above would amount to the total and permanent exclusion from availability of every name that was first published in a rejected work. The result would be the very opposite of what anyone desired, for instead of enabling rejected works to be consigned to oblivion, it would make it more important than ever that a close and detailed study should be made of all such works to make sure that they did not contain names, the use of which it was desired to retain. A decision in this sense could not be confined to works specifically rejected by the International Commission but would need to apply also to every work rejected under Article 25 as the work of an author who had not applied the principles of binary nomenclature. This would be the very negation of the object of that Article, since it would mean that far from the works of such authors being excluded from account in nomenclatorial matters, such works would become of great nomenclatorial importance since the publication of a generic name in such a work would suffice to prevent the subsequent acceptance of that name as an available name in any branch of zoology.

4. But it was not only on grounds of logic that such a decision would be open to objection; powerful reasons on grounds of practical convenience pointed to the same conclusion. An admirable case in point was provided by the "Erlangen List" at that moment under consideration by the Commission. The objection taken to the "Erlangen List" was not that the names first published in it were new—but long since forgotten—names, the reintroduction of which into the literature would displace well-known names and thereby result in greater confusion than uniformity. On the contrary, the objection to the "Erlangen List" was that it was the work in which were first published many generic names which in the course of over 100 years had become some of the best known in the order Hymenoptera; their use in the "Erlangen List" was different, however, from that which had come to be universally adopted, and the acceptance of the "Erlangen List" would involve the changing of the types of (and consequently also the meaning to be assigned to) many of these genera. No one desired that these names should be completely suppressed for all nomenclatorial purposes; what was desired was that their use in the "Erlangen List" should be suppressed, so as to validate their use in the commonly accepted

sense, *i.e.* in what would be the correct sense if it were permissible to treat the names in question as having nomenclatorial status only from the date and place of their next subsequent publication.

5. The proposal placed before the International Commission was, therefore, first that the "Erlangen List" should be eliminated from the literature by being suppressed under the Commission's plenary powers, and second that the availability of the generic names first published in that work should be judged as from the date on which the names in question were first republished and by reference to the species then placed in the genera in question. This was not a matter which could be settled in relation to a particular case, since the same problem inevitably arose whenever a work was rejected for nomenclatorial purposes. The Commission were accordingly asked to give a decision on this question in general terms that would apply automatically whenever the problem arose.

II.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. The general problem discussed above and also the petition relating to the particular case presented by the "Erlangen List" were considered by the International Commission at their meeting held on the morning of Monday, 16th September 1935, when the Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 13):—

to render *Opinions* :—

- (i) declaring, under suspension of the rules, that the so-called "Erlangen List" is to be treated as though it had never been published;
- (ii) making it clear that, where any subsequent author published a genus having the same name as one of the genera proposed in the "Erlangen List," the later-published name is not to be rejected as a homonym by reason of the earlier publication of that name in the "Erlangen List";
- (iii) indicating that the principle laid down in (ii) above applies generally both where the Commission render (or have rendered) an *Opinion* declaring that a given work is to be treated as though it had never been published or where a work is rejected automatically under Article 25 of the International Code.

7. The above matter was dealt with by the Commission in paragraph 17 of the report which on Wednesday, 18th September 1935, they unanimously agreed to submit to the Twelfth International Congress of Zoology (Lisbon Session, 5th Meeting, Conclusion 6). On the afternoon of the same day the report of the Commission was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission. That report was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

8. The present *Opinion*¹ was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.
 Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

9. The present *Opinion* was dissented from by no Commissioner or Alternate at the Lisbon Session. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

III.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION.*

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the said Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Com-

¹ Of the three items composing the Conclusion quoted in paragraph 6 of the present *Opinion*, items (i) and (ii) have been dealt with in the *Opinion* rendered by the Commission as *Opinion* 135. The present *Opinion* deals therefore only with item (iii).

mission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Forty Five (*Opinion* 145) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this second day of March, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

PUBLICATIONS OF THE COMMISSION

Bulletin of Zoological Nomenclature

The *Bulletin* is the Official Organ of the International Commission. The following Parts have so far been published:—

- PART 1. (contents include a survey of the functions and powers of the International Commission) pp. xxvi price 9s. 0d.
 PART 2. (report on the financial position of the International Commission and survey of outstanding tasks) pp. xiv price 5s. 0d.

Opinions Published by the Commission

- OPINION 134. On the method to be adopted in interpreting the generic names assigned by Freyer to the species described in his *Neuere Beiträge zur Schmetterlingskunde*, 1833–1858 price 8d.
 OPINION 135. The suppression of the so-called "Erlangen List" of 1801 price 8d.
 OPINION 136. *Opinion* supplementary to *Opinion* 11 on the interpretation of Latreille's *Considérations générales sur l'ordre naturel des animaux composant les classes des Crustacés, des Arachnides et des Insectes avec un tableau méthodique de leurs genres disposés en familles*, Paris, 1810 price 1s. 0d.
 OPINION 137. On the relative precedence to be accorded to certain generic names published in 1807 by Fabricius and Hübner respectively for identical genera in the Lepidoptera Rhopalocera price 1s. 6d.
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- OPINION 145. On the status of names first published in works rejected for nomenclatorial purposes and subsequently published in other works price 2s. 6d.
- OPINION 146. Suspension of the rules for *Colias* Fabricius, 1807 (Insecta, Lepidoptera) price 2s. 6d.
- OPINION 147. On the principles to be observed in interpreting Article 34 of the International Code in relation to the rejection, as homonyms, of generic and subgeneric names of the same origin and meaning as names previously published price 2s. 6d.

Opinions Rendered by the Commission but not yet Published

- OPINION 148. On the principles to be observed in interpreting Articles 25 and 34 of the International Code in relation to the availability of generic names proposed as emendations of, or as substitutes for, earlier generic names of the same origin and meaning.
- OPINION 149. Twenty-one names in the Orthoptera (Insecta) added to the *Official List of Generic Names in Zoology*.
- OPINION 150. On the dates of publication of the several portions of Hübner (J.), *Verzeichniss bekannter Schmettlinge* [sic], 1816–[1826].
- OPINION 151. On the status of the names *Lasius* Panzer, [1801–1802], *Podalirius* Latreille, 1802, *Lasius* Fabricius, [1804–1805] and *Anthophora* Latreille, 1803 (Insecta, Hymenoptera).
- OPINION 152. On the status of the generic names in the Order Diptera (Insecta) first published in 1800 by J. W. Meigen in his *Nouvelle Classification des Mouches à deux ailes*.
- OPINION 153. On the status of the names *Bethylus* Latreille, [1802–1803], and *Dryinus* Latreille, [1804] (Insecta, Hymenoptera).
- OPINION 154. On the status of the names *Phaneroptera* Serville, 1831, and *Tylopsis* Fieber, 1853 (Insecta, Orthoptera).
- OPINION 155. On the status of the names *Callimome* Spinola, 1811, *Misocampe* Latreille, 1818, and *Torymus* Dalman, 1820 (Insecta, Hymenoptera).
- OPINION 156. Suspension of the rules for *Vanessa* Fabricius, 1807 (Insecta, Lepidoptera).
- OPINION 157. Three names in the Hymenoptera (Insecta) added to the *Official List of Generic Names in Zoology*.
- OPINION 158. On the status of the name *Locusta* Linnaeus, 1758 (Insecta, Orthoptera).

All orders for, and inquiries in regard to, the publications of the Commission should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7.

AN URGENT APPEAL FOR A FUND OF £1800 TO ENABLE THE INTERNATIONAL COMMISSION TO CONTINUE ITS WORK

The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the "International Commission on Zoological Nomenclature" and crossed "Account payee. Coutts & Co."

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**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

Vol. 2. Part 13. Pp. 109-121.

OPINION 146

Suspension of the rules for *Colias* Fabricius,
1807 (Insecta, Lepidoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1943

Price two shillings and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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* This vacancy was caused by the death on 23rd May, 1939, of Dr. Witmer STONE (U.S.A.).

† This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).

OPINION 146.

SUSPENSION OF THE RULES FOR *COLIAS FABRICIUS*, 1807 (INSECTA, LEPIDOPTERA).

SUMMARY.—Under suspension of the rules *Papilio hyale* Linnaeus, 1758, is hereby designated as the type of *Colias Fabricius*, 1807, and that name, so defined, is hereby added to the *Official List of Generic Names in Zoology*.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission in a letter dated 23rd February 1934, in which the Council of the Royal Entomological Society of London drew attention to the conclusions reached by the Lepidoptera Sub-Committee¹ of the Society's Committee on Generic Nomenclature,² regarding the generic names of certain of the British Lepidoptera,³ as respects to which both the Lepidoptera Sub-Committee and the Committee on Generic Nomenclature were of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity. The Society enclosed a copy of the Report of the Lepidoptera Sub-Committee (published that day as Part 2 of the *Generic Names of British Insects*), to which was attached a paper by Commissioner Francis Hemming, in which was given a full statement in regard to each of the names in question. One of these names was *Colias Fabricius*, 1807 (*Mag. f. Insektenk.* (Illiger) 6 : 284).

2. The following is an extract from the paper referred to above of the passage relating to this genus :—

¹ This Sub-Committee was then composed as follows:—Mr. Francis Hemming (*Chairman*), Mr. N. D. Riley, and Mr. W. H. T. Tams.

² This Committee was then composed as follows:—Sir Guy Marshall (*Chairman*), Dr. K. G. Blair, Mr. Francis Hemming, Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Secretary*).

³ The other genera referred to in this communication were *Argynnis Fabricius*, 1807, *Vanessa Fabricius*, 1807, and *Strymon Hübner*, 1818. For the decisions of the International Commission on these cases, see *Opinions* 156 (*Vanessa Fabricius*), 161 (*Argynnis Fabricius*), and 165 (*Strymon Hübner*).

COLIAS Fabricius

- Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6**: 284
 Latreille, 1810, *Consid. gén. Anim. Crust. Ins.*: 440
 Swainson, 1820, *Zool. Illustr.* (1) **1**: pl. 5
 Curtis, 1829, *Brit. Entom.* **6**: pl. 242
 Butler, 1870, *Cist. ent.* **1**: 43
 Scudder, 1872, *4th Ann. Rep. Peabody Acad. Sci.* **1871**: 59

Latreille (1810) fixed the type of this genus (which he called by the French and Latin names "Coliade" and *Colias*) as *Colias rhamni* Fab. (i.e. *Papilio rhamni* Linn.), which was one of the original species given by Fabricius. The next author to fix a type for this genus was Swainson, who in 1820 specified *Papilio eubule* Linn. (which he mis-spelt *ebule*). This selection could in no circumstances be valid, as *Papilio eubule* Linn. was not one of the five species given by Fabricius in 1807. In 1829, Curtis specified *Papilio hyale* Linn. as the type. This is one of Fabricius's original species, and its selection as the type would be perfectly valid, were it not for Latreille's action in 1810 in selecting *Papilio rhamni* Linn. as the type. Later, Butler (1870) and Scudder (1872) selected *Papilio palaeno* Linn. as the type. This selection would be invalid owing to Curtis's action, quite apart from that of Latreille.

The name *Colias* Fab. has been universally used throughout its history for the "Clouded Yellows" of English, and the "Sulphurs" of American, lepidopterists (i.e. for *Papilio hyale* Linn. and its congeners) and except for the few species described in the eighteenth century under the name *Papilio* Linn. every species of "Clouded Yellow", European and American alike, has been described under the name *Colias* Fab. Strict adherence to the provisions of the International Code of Zoological Nomenclature would, however, remove the name *Colias* Fab. from these species and would transfer it to *Papilio rhamni* Linn. and its congeners. This transfer would be highly inexpedient, as *Papilio rhamni* Linn. has been universally assigned for over a century to *Gonepteryx* Leach, which would fall as a synonym of *Colias* Fab. Nor is this the only inconvenience attaching to such a transfer, as if the "Clouded Yellows" were deprived of the name *Colias* Fab., there is no generic name to which they could be unequivocally assigned, and for this reason. The next name which might be allotted to them is *Zerene* Hübn. The type of that genus is *Papilio cesonia* Stoll, 1790, which in 1863 Reakirt separated generically from *Papilio hyale* Linn. and the other "Clouded Yellows" under the name *Megonostoma*. Since that date, most American lepidopterists have accepted Reakirt's view that the two groups are generically distinct from one another. The question is, however, by no means clear. Thus, Godman and Salvin (1889, *Biol. Cent.-Amer. Lep.-Rhop.* **2**: 151) gave their reasons for considering that there were no structural characters by which *Papilio cesonia* Stoll could be separated from the "Clouded Yellows" which they assigned to *Colias* Fab. More recently, Klots (1931, *Ent. News* **42**: 255) has expressed the opinion that, at most, *Zerene* Hübn. (type *Papilio cesonia* Stoll) can only be separated in a subgeneric sense from the "Clouded Yellows". Though he realised that by the strict letter of the Code *Colias* Fab. was not available for the "Clouded Yellows", he took the view that it was undesirable to disturb the long-established usage of this name and decided to apply it to those species.

Other American lepidopterists (e.g. Barnes and Benjamin, 1926, *Bull. S. Calif. Acad. Sci.* **25**: 8) have applied the name *Eurymus* Horsf., 1829, (which some authors have wrongly attributed to Swainson) to *Papilio hyale* Linn. and the other "Clouded Yellows". Holland has, however, pointed out (1930, *Ann. Carnegie Mus.* **19**: 198, 200) that this name cannot possibly be employed for these species as it is a homonym of *Eurymus* Rafinesque, 1815. Those entomologists who (a) accept *Papilio rhamni* Linn. as the type of *Colias* Fab. and (b) regard *Papilio cesonia*

Stoll as generically distinct from *Papilio hyale* Linn. are driven to use the name *Scalidoneura* Butler, 1871 (type *Scalidoneura hermina* Butler, 1871, a species discovered in eastern Peru) for *Papilio hyale* Linn. and the other "Clouded Yellows".

For the reasons given above, the strict application to *Colias* Fab. of the rules laid down in the International Code of Zoological Nomenclature would, in my opinion, produce a state of confusion of the very type which the International Zoological Congress had in mind when they invested the International Commission on Zoological Nomenclature with plenary powers to suspend the rules in cases where their strict application would clearly result in greater confusion than uniformity.

3. The paper from which the foregoing passage is an extract concluded with the hope that the Lepidoptera Sub-Committee would join in reporting to the Committee on Generic Nomenclature of the Royal Entomological Society of London that it was highly desirable that in the exercise of their plenary powers the International Commission on Zoological Nomenclature should as soon as possible render an *Opinion* to the following effect:—

Opinion 11 regarding the designation of genotypes by Latreille, 1810, shall not be interpreted to mean that in the work referred to in that *Opinion* Latreille designated *Papilio rhamni* Linn., 1758, as the type of *Colias* Fab. Consequently, the fixation by Curtis in 1829 of *Papilio hyale* Linn., 1758, as the type of that genus is valid and the name *Colias* Fab. as thus defined is hereby added to the *Official List of Generic Names*.

These conclusions were concurred in by the Lepidoptera Sub-Committee by whom they were submitted to the Committee on Generic Nomenclature. The latter body endorsed the view of the Sub-Committee and recommended the Council of the Society to approach the International Commission in the sense indicated above. It was in accordance with this recommendation that the Council addressed to the Commission the letter referred to in paragraph 1 above.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. Before the Commission had time to take any action on this case, they received a letter on the same subject (dated 17th May 1934) from Dr. J. Mc. Dunnough, Chief of the Division of Systematic Entomology, Entomological Branch, Department of Agriculture, Ottawa, from which the following is an extract:—

I am enclosing signed copies of a short note which is appearing in the current number of the "Canadian Entomologist". You will see by this that the *large majority* of active systematic Lepidopterists advocate the fixing of certain genotypes for the four genera mentioned in the note and I am sure also that the large proportion of continental entomologists are in favour of such procedure. . . .

The following is an extract from the note referred to above :—

ON THE STABILIZING OF FOUR GENERIC NAMES
(Lepid. : Rhopalocera)

To students of the involved generic nomenclature of the Palaearctic and Nearctic Diurnal Lepidoptera, the recent publication of the "Generic Names of British Rhopalocera" will prove of great interest. This pamphlet has been prepared by Mr. Francis Hemming at the request of the Committee on Generic Nomenclature of the Royal Entomological Society of London, and includes full details regarding type fixation and synonymy. Appended to the list is the first report of the Lepidoptera Sub-committee to the main committee, and following Mr. Hemming's suggestions, the suspension of the Law of Priority in four cases is advocated by this sub-committee, the ground being that strict application of the rules would cause serious, and quite unnecessary, disturbance in existing practice.

The genera involved, with their proposed genotypes, are as follows ⁴:

. *Colias* Fabr. (*P. hyale* Linn.).

Welcoming any action that would assist in stabilizing generic Nomenclature, the undersigned lepidopterists express their full agreement with the recommendations of the above sub-committee and would urge the adoption of this report.

J. Mc. Dunning, Entom. Br., Dept. of Agriculture, Ottawa, Canada.
May 15, 1934.

Jessie D. Gunder, 310 Linda Vista Ave., Pasadena, Calif. Apr. 13, 1934.

John A. Comstock, Los Angeles Museum, Exposition Park, Los Angeles,
Calif. Apr. 26, 1934.

Wm. T. M. Forbes, Dept. of Entomology, Cornell U., Ithaca, N.Y. Apr.
17, 1934.

Roswell C. Williams, Jr., Acad. Nat. Sciences, 19th & Race Sts., Phila-
delphia, Pa. Apr. 17, 1934.

E. Irving Huntington, 155 East 90th St., New York, N.Y. April 21, 1934.

Cyril F. dos Passos, Washington Corners, Mendham, N.J. Apr. 23, 1934.

Frank E. Watson, Amer. Mus. Nat. Hist., N.Y. City. Apr. 23, 1934.

C. H. Curran, Amer. Mus. Nat. Hist., N.Y. City. Apr. 23, 1934.

Ernest Bell, 150-17 Roosevelt Ave., Flushing, N.Y. Apr. 24, 1934.

Alyach B. Klots, College of the City of New York, Dept. of Biology. Apr.
24, 1934.

5. As a first step the Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the Committee agreed to recommend that the International Commission on Zoological Nomenclature should take such action under their plenary powers as might be necessary to secure that the type of *Colias* Fabricius, 1807, should be *Papilio hyale* Linnaeus, 1758.

⁴ For the names of the other genera referred to in this communication, see footnote 3.

6. This, and other, recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

7. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the genus *Colias* Fabricius, 1807, was one of the cases in question and was accordingly dealt with by the Commission at Lisbon under the above procedure.

8. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22), when the Commission agreed⁵ :—

⁵ Only those portions of Conclusion 22 which relate to the present case are here quoted. For the full text of Conclusion 22, see, 1943, *Bull. zool. Nomencl.* 1: 20-23.

- (a) to "suspend the rules" in the case of the following generic names :—
-
- (vii) *Colias* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 284;
-
- (h) to declare that the type of *Colias* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 284, is *Papilio hyale* Linnaeus, 1758, *Syst. Nat.* (ed. 10) : 469;
- (i) to add the generic names . . . *Colias* Fabricius, 1807, to the *Official List of Generic Names*, with the types indicated above;
-
- (l) to render *Opinions* in the sense of (a) to (l) above.

9. The foregoing decisions in regard to the name *Colias* Fabricius were embodied in paragraph 28 of the report which at their meeting held on the morning of Wednesday, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 6) the Commission unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

10. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 7 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution⁶ adopted by the Ninth International Congress of Zoology at its Meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed

⁶ For the text of this Resolution, see *Declaration 5*.

to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

11. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

12. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION.*

WHEREAS the Ninth International Congress of Zoology at its Meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution

adopted by the Ninth International Congress of Zoology at its Meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Forty Six (*Opinion* 146) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this third day of March, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

Vol. 2. Part 14. Pp. 123-132.

OPINION 147

On the principles to be observed in interpreting Article 34 of the International Code in relation to the rejection, as homonyms, of generic and subgeneric names of the same origin and meaning as names previously published

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1943

Price two shillings and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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83, Fellows Road (Garden Flat), London, N.W. 3.

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OPINION 147

ON THE PRINCIPLES TO BE OBSERVED IN INTERPRETING ARTICLE 34 OF THE INTERNATIONAL CODE IN RELATION TO THE REJECTION, AS HOMONYMS, OF GENERIC AND SUBGENERIC NAMES OF THE SAME ORIGIN AND MEANING AS NAMES PREVIOUSLY PUBLISHED.

SUMMARY.—The following principles are to be observed in interpreting Article 34 of the International Code relating to the rejection, as homonyms, of generic and subgeneric names of the same origin and meaning :—

- (1) a generic name of the same origin and meaning as a previously published generic name is to be rejected as a homonym of the said name if it is distinguished therefrom only by the following differences :—
 - (a) the use of “ ae ”, “ oe ”, and “ e ” ; the use of “ ei ”, “ i ”, and “ y ” ; or the use of “ c ” and “ k ” ;
 - (b) the aspiration or non-aspiration of a consonant ;
 - (c) the presence or absence of a “ c ” before a “ t ” ;
 - (d) the use of a single or double consonant ;
- (2) the principles set out in (1) above in regard to generic names apply equally to subgeneric names.

I.—THE STATEMENT OF THE CASE.

This question was first brought forward by Commissioner Francis Hemming, who in 1935 submitted the following statement thereon to the International Commission on Zoological Nomenclature at their Session held at Lisbon during the Twelfth International Congress of Zoology :—

On the conditions in which generic (and subgeneric) names should be rejected as homonyms of earlier generic (and subgeneric) names of the same origin and meaning

In preparing my *Generic Names of the Holarctic Butterflies* (published last year¹) I was seriously embarrassed on a number of occasions by the fact that the International Code does not contain any express definition of

¹ This work was published by the Trustees of the British Museum (Natural History) on 28th July 1934.

the term "homonym" in relation to the rejection, as homonyms, of generic and subgeneric names of the same origin and meaning (Article 34), although there is such a definition in relation to specific and subspecific names in Article 35.

The definition given in Article 35 reads as follows:—

"Specific names of the same origin and meaning shall be considered homonyms if they are distinguished from each other only by the following differences:

- (a) the use of 'ae', 'oe', and 'e', as *caeruleus*, *coeruleus*, *ceruleus*; 'ei', 'i' and 'y', as *chiropus*, *cheiropus*; 'c' and 'k' as *microdon*, *mikrodon*.
- (b) the aspiration or non-aspiration of a consonant, as *oxyruncus*, *oxyrhynchus*.
- (c) the presence or absence of a 'c' before 't', as *autumnalis*, *auctumnalis*.
- (d) by a single or double consonant; *litoralis*, *littoralis*.
- (e) by the endings 'ensis' and 'iensis' to a geographical name, as *timorensis*, *timoriensis*."

I have always assumed that the fact that the above provision was inserted in Article 35 (specific and subspecific names) without any corresponding provision being inserted in Article 34 (generic and subgeneric names) was due to the fact that, when at Graz in 1910 the passage quoted above was added to Article 35 by the Eighth International Congress of Zoology, on the recommendation of the International Commission on Zoological Nomenclature, both bodies were addressing themselves only to the problem as it arose in connection with specific (and subspecific) names and did not consider it necessary on that occasion to carry through to their logical conclusion, as regards generic (and subgeneric) names, the decision then taken in regard to specific (and subspecific) names. I have therefore proceeded on the assumption that *mutatis mutandis* the Graz decision in regard to Article 35 must be held to apply equally to Article 34.

I am particularly glad therefore to find confirmation of the correctness of this view in the discussion in the draft *Opinion*² now before the Commission in regard to the name *Urothoe* Dana, where the principle of analogy is invoked in favour of the proposition that a principle laid down in the Code in relation to the types of genera (Article 30) should, in the absence of express provision to the contrary, be held to apply also to the types of families (Article 4).³

In view, however, of the doubt entertained in some quarters as to the correct course to be followed in determining whether a given generic name should or should not be deemed to be a homonym of a previously published generic name that is similar but not identical therewith, I consider it very important that the Commission should now give an express ruling on this subject. No new question of principle is involved, since all that is required to settle this question is that the Commission should agree to render an *Opinion* applying to generic (and subgeneric) names in relation to Article 34 the principles already expressly laid down in the Code (Article 35) in relation to specific names, so far as those principles are applicable to nouns (which all generic (and subgeneric) names must be (Article 8)).

I accordingly invite the Commission to agree to apply to generic names the first four of the principles (principles (a) to (d)) laid down in relation to specific names in the concluding portion of Article 35 of the Code, but to exclude the fifth of those principles (principle (e)), since that principle, being applicable only to specific names of adjectival form, is wholly inapplicable to nouns and therefore to generic names.

² See *Opinion* 133.

³ See *Opinion* 141.

II.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

2. This question was considered by the International Commission at their meeting held at Lisbon on Tuesday, 17th September 1935, when in the course of discussion it was explained that the Commission had hitherto held the view that it would naturally be concluded by zoologists that the principles laid down for specific names in this matter applied also to generic names. In view, however, of the fact that it was now clear that the present position was liable to give rise to misunderstandings, the Commission agreed (Lisbon Session, 4th Meeting, Conclusion 14) :—

to render an *Opinion* making it clear that the principles lettered (a) to (d) in Article 35 of the International Code for determining whether a given specific (or subspecific) name is a homonym of another specific (or subspecific) name of earlier date that is of the same origin and meaning, apply equally to the determination under Article 34 of the question whether a given generic (or subgeneric) name is a homonym of another generic (or subgeneric) name of earlier date, where the two generic (or subgeneric) names are of the same origin and meaning.

3. At the same meeting as that at which the foregoing decision was taken (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3 (b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3 (a) (iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those

matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in that report.

4. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the Commission as set out in paragraph 3 above.

5. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

6. The present *Opinion* was dissented from by no Commissioner or Alternate at the Lisbon Session. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

III.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION.*

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provided that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided, that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Forty Seven (*Opinion* 147) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part. 15. Pp. 133-144.

OPINION 148

On the principles to be observed in interpreting Articles 25 and 34 of the International Code in relation to the availability of generic names proposed as emendations of, or as substitutes for, earlier generic names of the same origin and meaning

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OPINION 148.

ON THE PRINCIPLES TO BE OBSERVED IN INTERPRETING ARTICLES 25 AND 34 OF THE INTERNATIONAL CODE IN RELATION TO THE AVAILABILITY OF GENERIC NAMES PROPOSED AS EMENDATIONS OF, OR AS SUBSTITUTES FOR, EARLIER GENERIC NAMES OF THE SAME ORIGIN AND MEANING.

SUMMARY.—The following principles are to be observed in interpreting Articles 25 and 34 of the International Code in relation to the availability of generic names proposed as emendations of, or as substitutes for, earlier generic names of the same origin and meaning :—

- (1) A generic name published as an emendation of an earlier name of the same origin and meaning is to be rejected as a synonym of the earlier name, and the type of the genus bearing the emended name is automatically the same species as the type of the genus bearing the earlier name so proposed to be emended. Example : *Achatinus* de Montfort, 1810, being an emendation of *Achatina* Lamarck, 1799, is to be rejected as a synonym of *Achatina* Lamarck ; the type of *Achatinus* de Montfort is automatically the same species as the type of *Achatina* Lamarck.
- (2) A generic name is to be rejected as a homonym if it has previously been published as an emendation of another generic name of earlier date. Example : *Borus* Albers, 1850 (Mollusca) is to be rejected as a homonym of *Borus* Agassiz, 1846, an emendation of *Boros* Herbst, 1797 (Coleoptera).
- (3) A generic name published as a substitute (nomen novum) for a name rejected by reason of its being a homonym is not itself to be rejected on the ground that it is of the same origin and meaning as the name for which it has been proposed as a substitute. Example : *Protodryas* Reuss, 1928, was published as a substitute for *Prodryas* Reuss, 1926, which is invalid, as it is a homonym of *Prodryas* Scudder, 1878 ; as such, *Protodryas* Reuss is available, although it is of the same origin and meaning as *Prodryas* Reuss. If, however, *Protodryas* Reuss had been published as an emenda-

tion of *Prodryas* Reuss (instead of as a substitute), it would have been a synonym of *Prodryas* Reuss and therefore not available.

- (4) The principles set out in (1) to (3) above in regard to generic names apply equally to subgeneric names.

I.—THE STATEMENT OF THE CASE.

This question was raised at Lisbon by Commissioner Francis Hemming during the discussion, at the meeting of the International Commission held on Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 14), of the question of the applicability to Article 34 in respect of generic names of the principles laid down in Article 35 in respect of specific names of the same origin and meaning.¹ The following is the statement then submitted by Commissioner Hemming:—

The position of generic names proposed as emendations of, or as substitutes for, earlier generic names of the same origin and meaning.

The decision just taken¹ by the Commission to make it clear that the principles laid down in the concluding portion of Article 35 of the International Code for determining whether a given specific name is a homonym of an earlier specific name of the same origin and meaning apply equally to the determination under Article 34 of corresponding problems when these arise in connection with generic names, removes most of the difficulties which have long embarrassed systematists when attempting to ascertain which of the generic names in their group are available nomenclatorially.

There remains, however, one allied problem which is in urgent need of clarification, namely the status to be accorded to a name published as an emendation of an earlier generic name of the same origin and meaning. The most common type of case in this class is where an author publishes the generic name "*X-us*" and this name is later emended to "*X-a*" or vice versa. I was myself confronted with this problem when during the preparation of my *Generic Names of the Holarctic Butterflies* (published in 1934) I came to consider the names *Argyreus* Scopoli, 1777 (*Intr. Hist. nat.*: 431) and its emendation *Argyrea* Billberg, 1820 (*Enum. Ins.*: 77). Attempts have been made in the past to argue that differences such as alone distinguish the names just referred to are differences only of gender and therefore that the two generic names are identical; but this particular line of approach is clearly unsound since in Latin it is only adjectives that are subject to changes in their terminations according to the gender of the nouns with which they are in agreement and Article 8 expressly provides that generic names are to be treated as nouns in the nominative singular.²

¹ See *Opinion* 147.

² In the French text of the Code Article 8 states that a generic name must be a single word "employé comme substantif au nominatif singulier". The corresponding words in the English text are "employed as a substantive in the nominative singular". Since in any case of doubt the French text is the substantive text and the other texts are to be treated as translations (1897, *Bull. Soc. zool. France* 22: 173), the word "substantive" in the English text of Article 8 must be treated as a translation of the French word "substantif". As a translation, it is defective and the word that should have been used is the word "noun".

Similarly, the concluding portion of Article 35 (in regard to specific names) threw no light on the treatment to be accorded to generic names that differed from one another only in this limited way, since the agreement of specific names, when of adjectival form, with the noun representing the generic name is dealt with in Article 14, which contains no provisions covering the present problem. At that time, therefore, I felt bound to treat *Argyrea* Billberg as an entity distinct from *Argyreus* Scopoli, and, as no type had so far been designated for *Argyrea* Billberg, I myself then selected one of Billberg's originally included species for this purpose (1933, *Entomologist* 66: 197).

It was only later—and then quite by accident—that I discovered that the Commission had settled the principles to be observed in a case of this kind, when in *Opinion* 120 they had given their decision in regard to the status of *Achatinus* de Montfort, 1810, an emendation of *Achatina* Lamarck, 1799 (Mollusca). The decision then taken was announced in the following terms:—

“*Achatinus*, 1810, is emendation of and therefore objective synonym of *Achatina*, 1799; the designation of *zebra* as type of *Achatinus* contravenes Article 30a and c. *Achatinus*, 1810, invalidates any later use of *Achatinus* in a different sense.”

Quite recently the Commission have re-affirmed these principles in an *Opinion* at present awaiting publication,³ the summary of which reads as follows:—

“*Borus* Agassiz, 1846, is an emendation of, and therefore an absolute synonym of, *Borus* Herbst, 1797; *Borus* Albers, 1850, is a dead homonym.”

The attitude of the Commission in this matter is perfectly clear from these *Opinions*. Unfortunately, however, their decision on this important question has been almost completely overlooked through the fact that the Commission did not devote a special *Opinion* to the statement of their decision as a matter of principle applying to names throughout the animal kingdom, but only stated this principle incidentally in the course of an *Opinion* (*Opinion* 120) relating to certain disputed names in a single group (Mollusca), an *Opinion* not likely to be studied in detail by any but specialists in Mollusca.

The request that I now make to the Commission is that they should agree to render an *Opinion* stating in general terms the important decision that they reached on this matter nearly five years ago (January 1931) but which so far has been presented in an inaccessible form in an *Opinion* concerned only with the case of a particular pair of names.

I hope that at the same time the Commission will make it clear that that decision relates only to generic names that are emendations of generic names and does not apply to names expressly published as substitute names (*nomina nova*) for names that are unavailable by reason of being homonyms. I have no reason to doubt that this was the intention of the Commission, but it is important that it should be expressly stated, since there are many substitute names in common use that are of the same origin and meaning as the names which they replaced, and which, if they had been published as emendations of, instead of as substitutes for, the names in question would, under the rule stated in *Opinion* 120, become invalid synonyms and themselves require to be replaced by still other names. An example of this class is provided by the names *Protodryas* Reuss, 1928 “gen. nov.” (*Int. ent. Z.* 22: 146) and *Prodryas* Reuss, 1926 (*Deuts. ent. Z.* 1926 (1): 66) in the same group of the NYMPHALIDAE as the genera already referred

³ See *Opinion* 125.

to (*Argyreus* Scopoli and *Argyrea* Billberg). *Prodryas* Reuss is invalid as it is a homonym of *Prodryas* Scudder, 1878 (*Bull. U.S. Geol. geogr. Survey* 4: 520); it was therefore replaced by the substitute name *Protodryas* Reuss. As a substitute name, *Protodryas* Reuss is available; but, if it had been published as an emendation of *Prodryas* Reuss (instead of as a substitute for that name) it would, under *Opinion* 120, have become a synonym of *Prodryas* Reuss and therefore unavailable nomenclatorially.

II.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

2. On the general issue involved the Commission was unanimously of the view that, when the Commission reached a decision on a question of interest to the general body of zoologists, it was of the greatest importance that that decision should be presented in such a way to ensure that it was most readily available to all concerned. In the particular case raised by Commissioner Hemming, the Commission agreed (Lisbon Session, 4th Meeting, Conclusion 15):—

to render an *Opinion* restating in general terms the decision embodied in *Opinion* 120 in regard to the status of a generic or subgeneric name published as an emendation of an earlier generic or subgeneric name of the same origin and meaning, and making it clear that that decision did not apply to a name expressly published as a substitute name (*nomen novum*), even when that name was of the same origin and meaning as the name replaced.

3. At the same meeting as that at which the foregoing decision was taken (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above

(Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the propōsals submitted by him, as recorded above, in regard to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in that report.

4. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the Commission set out in paragraph 3 above.

5. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Easki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

5. The present *Opinion* was dissented from by no Commissioner or Alternate at the Lisbon Session. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

III.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Forty Eight (*Opinion* 148) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this tenth day of March, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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- OPINION 149. Twenty-one names in the Orthoptera (Insecta) added to the *Official List of Generic Names in Zoology*.
- OPINION 150. On the dates of publication of the several portions of Hübner (J.), *Verzeichniss bekannter Schmetterlinge* [sic], 1816–[1826].
- OPINION 151. On the status of the names *Lasius* Panzer, [1801–1802], *Podalirius* Latreille, 1802, *Lasius* Fabricius, [1804–1805] and *Anthophora* Latreille, 1803 (Insecta, Hymenoptera).
- OPINION 152. On the status of the generic names in the Order Diptera (Insecta) first published in 1800 by J. W. Meigen in his *Nouvelle Classification des Mouches à deux ailes*.
- OPINION 153. On the status of the names *Bethylus* Latreille, [1802–1803], and *Dryinus* Latreille, [1804] (Insecta, Hymenoptera).
- OPINION 154. On the status of the names *Phaneroptera* Serville, 1831, and *Tylopsis* Fieber, 1853 (Insecta, Orthoptera).
- OPINION 155. On the status of the names *Callimome* Spinola, 1811, *Misocampe* Latreille, 1818, and *Torymus* Dalman, 1820 (Insecta, Hymenoptera).
- OPINION 156. Suspension of the rules for *Vanessa* Fabricius, 1807 (Insecta, Lepidoptera).
- OPINION 157. Three names in the Hymenoptera (Insecta) added to the *Official List of Generic Names in Zoology*.
- OPINION 158. On the status of the name *Locusta* Linnaeus, 1758 (Insecta, Orthoptera).

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PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 16. Pp. 145-160.

OPINION 149

Twenty-one names in the Orthoptera (Insecta)
added to the *Official List of Generic Names in
Zoology*

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1943

Price four shillings

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* This vacancy was caused by the death on 23rd May, 1939, of Dr. Witmer STONE (U.S.A.).

† This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former *Secretary to the Commission* (1897-1935).

OPINION 149.

TWENTY-ONE NAMES IN THE ORTHOPTERA (INSECTA) ADDED TO THE OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY.

SUMMARY.—The following names in the Orthoptera (Insecta) are hereby added to the *Official List of Generic Names in Zoology*, with the types specified in paragraph 10 of the present *Opinion*:—*Bacillus* Le Peletier de Saint Fargeau and Serville, 1825 ; *Chelidura* Berthold, 1827 ; *Eumastax* Burr, 1899 ; *Gampsocleis* Fieber, 1852 ; *Gryllacris* Serville, 1831 ; *Gryllotalpa* Latreille, [1802–1803] *Hemimerus* Walker, 1871 ; *Labia* Leach, 1815 ; *Leptophyes* Fieber, 1852 ; *Mantis* Linnaeus, 1767 ; *Myrmecophilus* Berthold, 1827 ; *Oedipoda* Latreille, 1829 ; *Phyllium* Illiger, 1798 ; *Prophalangopsis* Walker, 1871 ; *Proscopia* Klug, 1820 ; *Psophus* Fieber, 1853 ; *Saga* Charpentier, 1825 ; *Schizodactylus* Brullé, 1835 ; *Sphingonothus* Fieber, 1852 ; *Stenopelmatus* Burmeister, 1838 ; and *Tridactylus* Olivier, 1789.

I.—THE STATEMENT OF THE CASE.

Fifteen of the names dealt with in the present *Opinion* were included in the list of 52 generic names in the Orthoptera that figured in the comprehensive list of names drawn from many Phyla and Classes set out in the paper published in 1915 by Commissioner Karl Apstein under the title "*Nomina conservanda. Unter Mitwirkung zahlreicher Spezialisten herausgegeben von Prof. C. Apstein, Berlin*" (*SitzBer. Ges. naturf. Fr. Berl.* 1915 (5) : 119–202). The names in question were:—*Bacillus* Le Peletier de Saint Fargeau and Serville. (attributed to Latreille); *Chelidura* Berthold (attributed to Serville); *Gampsocleis* Fieber; *Gryllacris* Serville; *Gryllotalpa* Latreille; *Labia* Leach; *Leptophyes* Fieber; *Mantis* Linnaeus; *Myrmecophilus* Berthold (as *Myrmecophila* and attributed to Latreille); *Oedipoda* Latreille; *Phyllium* Illiger; *Psophus* Fieber (as *Psopha*); *Saga* Charpentier; *Sphingonothus* Fieber (as *Sphingonotus*); and *Tridactylus* Olivier (attributed to Latreille).

2. Commissioner Apstein communicated his List to the Commission in the course of 1915 and in December of that year the

Secretary to the Commission suggested that the most satisfactory way of dealing with this proposal would be to refer the various portions of which it was made up to special advisory committees on the nomenclature of the groups concerned. This course was adopted but, as was inevitable, the reports from the committees were a long time in coming in. In 1922, the Commission agreed to render an *Opinion* (*Opinion* 74), in which they pointed out that they had no power to adopt *en bloc* the list submitted by Commissioner Apstein but indicated that they were prepared "to consider names separately upon presentation of reasonably complete evidence". The examination of the names contained in Commissioner Apstein's list continued without interruption, and in due course Dr. A. N. Caudell of the United States National Museum, to whom the generic names in the Orthoptera had been referred, submitted a report in which he gave grounds for the acceptance for the *Official List* of 12 of the 15 names indicated in the preceding paragraph. The 3 names not dealt with by Dr. Caudell were *Gryllacris* Serville, *Oedipoda* Latreille, and *Tridactylus* Olivier.

3. In June 1929 (when Dr. Caudell's report was already in draft), Commissioner Anton Handlirsch submitted to the Commission a further list of 28 names in the Orthoptera for inclusion in the *Official List*. In addition to 8 of the names indicated in paragraph 1 above (*Bacillus*, *Gryllacris*, *Gryllotalpa*, *Mantis*, *Oedipoda*, *Phyllium*, *Saga*, *Tridactylus*), this list contained, amongst others, the following names dealt with in the present *Opinion*:—*Eumastax* Burr; *Hemimerus* Walker; *Prophalangopsis* Walker; *Proscopia* Klug; *Schizodactylus* Brullé; and *Stenopelmatus* Burmeister.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. Later in 1929, the Commission invited the International Committee on Entomological Nomenclature to consider (a) the list of 52 names submitted by Commissioner Apstein, (b) the report on certain names contained therein furnished by Dr. Caudell, and (c) the list of 28 names submitted by Commissioner Handlirsch, and to submit recommendations to the Commission in regard thereto.

5. This request involved a considerable amount of preliminary study by the International Committee, and it was accordingly not until their meeting at Madrid in the second week of September

1935 that the International Committee were able to draw up a resolution on this subject for submission to the International Commission. Of the 80 names comprised in the combined lists, 20 of those in Commissioner Handlirsch's list were included also in the earlier list submitted by Commissioner Apstein. The total number of names to be considered was therefore 60. Two of these names (*Locusta* Linnaeus and *Phaneroptera* Serville), which appeared in both the lists, were placed on one side by the International Committee as names which could not be added to the *Official List of Generic Names* unless and until the International Commission decided to use their plenary powers to suspend the rules in the International Code, a course which the International Committee decided to recommend.¹ There remained therefore 56 names proposed for inclusion in the *Official List* as names which were available nomenclatorially and whose types had been correctly determined under Article 30 of the International Code. After careful consideration, the International Committee came to the conclusion that the evidence submitted in regard to 34 of these names was insufficient to justify them in recommending the International Commission to add the names in question to the *Official List*. The International Committee considered that the remaining 22 names satisfied all the necessary conditions and agreed to recommend that they be added to the *Official List*. The names in question, together with the species believed to be their types correctly determined under the Code, were accordingly placed on a list for submission to the International Commission as follows:—

- (i) *Bacillus* St. Fargeau² and Serville, 1825. type: *Mantis rossia* Rossi, 1790. (monotypical)
- (ii) *Chelidura* Berthold, 1827. type: *Forficula aptera* Charpentier, 1825. (type designated by Serville, 1831)
- (iii) *Eumastax* Burr, 1899. type: *Mastax tenuis* Perty, 1830.² (monotypical)
- (iv) *Gampsocleis* Fieber, 1852. type: *Locusta glabra* Herbst, 1786. (type designated by Fieber, 1853²)
- (v) *Gryllacris* Serville, 1831. type: *Gryllacris maculicollis*² Serville, 1831. (type designated by Rehn, 1905)
- (vi) *Gryllotalpa* Latreille, 1802.² type: *Gryllus gryllotalpa* Linnaeus, 1758. (monotypical)

¹ The case of *Phaneroptera* Serville is dealt with in *Opinion* 154 and that of *Locusta* Linnaeus in *Opinion* 158.

² See note on this name in paragraph 9 below.

- (vii) *Hemimerus* Walker, 1871. type: *Hemimerus talpoides* Walker, 1871. (monotypical)
- (viii) *Labia* Leach, 1815. type: *Forficula minor* Linnaeus, 1758. (monotypical)
- (ix) *Leptophyes* Fieber, 1852. type: *Locusta punctatissima* Bosc, 1792. (monotypical)
- (x) *Mantis* Linnaeus, 1758.² type: *Gryllus religiosa*² Linnaeus, 1758. (type designated by Latreille, 1810)
- (xi) *Myrmecophilus* Berthold, 1827. type: *Blatta acervorum* Panzer, 1799.² (monotypical)
- (xii) *Oedipoda* Serville,² 1831.² type: *Gryllus caerulescens* Linnaeus, 1758. (type designated by Kirby, 1910)
- (xiii) *Phyllium*² Illiger, 1798. type: *Gryllus siccifolius* Linnaeus, 1758. (monotypical)
- (xiv) *Prophalangopsis* Walker, 1871. type: *Tarraga obscura* Walker, 1868.² (monotypical)
- (xv) *Proscopia* Klug, 1820. type: *Proscopia oculata*² Klug, 1820. (type designated by Kirby, 1910²)
- (xvi) *Psopha*² Fieber, 1852.² type: *Gryllus stridulus* Linnaeus, 1758. (monotypical)²
- (xvii) *Saga* Charpentier, 1825. type: *Locusta serrata* Fabricius, 1793. (monotypical)
- (xviii) *Schizodactylus* Brullé, 1835. type: *Gryllus monstrosus* Drury, 1773. (monotypical)
- (xix) *Sphingonothus* Fieber, 1852. type: *Gryllus caerulans* Linnaeus, 1767. (monotypical)
- (xx) *Stenopelmatus* Burmeister, 1838. type: *Stenopelmatus talpa* Burmeister, 1838. (type designated by Kirby, 1906)
- (xxi) *Tridactylus* Olivier, 1789. type: *Acheta digitata*² Coquebert,² 1804.² (type designated by Latreille, 1804²)

The twenty-second name proposed by the International Committee on Entomological Nomenclature for inclusion in the *Official List of Generic Names* was *Tylopsis* Fieber, 1853, but, as the status of that name is bound up with the decision on *Phaneroptera* Serville, 1831, it is dealt with in the *Opinion* relating to that name.³

6. In view of the fact that the International Commission on Zoological Nomenclature was to meet at Lisbon immediately after

² See note on this name in paragraph 9 below.

³ See *Opinion* 154.

the close of the Sixth International Congress of Entomology at Madrid, it was impossible for the International Committee on Entomological Nomenclature to prepare a formal report on the above names for consideration by the International Commission. Further, owing to the impossibility of consulting works of reference during the Congress at Madrid it was impossible for the International Committee to verify all the references given in the list included in paragraph 5 above. The International Committee accordingly invited their Secretary (Commissioner Karl Jordan) to explain orally to the International Commission when it met at Lisbon the grounds on which their recommendations were based and to explain that those recommendations were submitted on the basis that the references would be checked by the International Commission and any minor errors eliminated before the Commission rendered an *Opinion* in the sense proposed.

7. The recommendations agreed upon by the International Committee on Entomological Nomenclature, as set out in paragraph 5 above, together with other recommendations submitted by the International Committee, were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

8. This question was considered by the International Commission on Zoological Nomenclature at the second meeting of the Session held in Lisbon in September 1935 during the meeting of the Twelfth International Congress of Zoology. At this meeting, which was held on the morning of Monday, 16th September 1935, the Commission approved the proposals submitted by the International Committee on Entomological Nomenclature as set out in paragraph 5 above (Lisbon Session, 2nd Meeting, Conclusion 20). The Commission, who (like the International Committee at Madrid) were handicapped at Lisbon by not having access to standard works of reference, agreed, when approving their report to the Twelfth International Congress of Zoology, at their meeting held on Wednesday, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 1 (c)) :—

to authorise Commissioner Hemming to examine the report after the close of the Congress when works of reference were available to him, for the purpose of checking the accuracy of the bibliographical and other references cited therein, and to correct any errors that might be found before the text of the report was officially printed.

9. After the close of the Lisbon Congress, the list submitted by the International Committee on Entomological Nomenclature (quoted in paragraph 5 above) was examined from the foregoing point of view and the following corrections, for the most part of a minor character, were found to be necessary and were accordingly incorporated both in the report ⁴ and in the *Official Record of the Proceedings* of the Commission at the Lisbon Session :—

- (a) *Bacillus*. This name was published in the entomological portion of volume **10** of the *Encyclopédie méthodique*, Paris 1825. This was prepared by Le Peletier de Saint Fargeau and Serville, in collaboration. The name of the first of these authors was given incorrectly in the Lisbon report as “ St. Fargeau ”.
- (b) *Eumastax* Burr. The date of *Mastax tenuis* Perty, the type of this genus, is 1832 not 1830 (see Sherborn, 1931, *Index Anim.* (Pars secund.) : 6424).
- (c) *Gampsocleis* Fieber. The type of this genus was correctly given in the Lisbon report as *Locusta glabra* Herbst, 1786, but the statement in that report that this species was designated as the type by Fieber in 1853 (*Lotos* **3** : 147) is not accurate. On the first publication of this genus in 1852, Fieber gave as sole species, and therefore as the type (Article 30 (I) (c)), a species to which he applied the name *Dect[icus] maculatus* var. *glaber*. The reference is clearly to *Decticus glaber* Burmeister, 1838 (*Handb. Ent.* **2** (2) (No. 1) : 713) but, as pointed out by Sherborn (1926, *Index Anim.* (Pars secund.) : 2708), Burmeister did not publish this as a new name but merely as a grammatical variant of the name *Locusta glabra* Herbst.
- (d) *Gryllacris* Serville. Serville placed in this genus three species : (i) *G. maculicollis* Serville ; (ii) *G. ruficeps* Serville ; and (iii) *G. personata* Serville. The first author to select any of these species as the type of *Gryllacris*

⁴ As has been explained elsewhere (Hemming, 1943, *Bull. zool. Nomencl.* **1** : 64), it was not found practicable to revise the Commission's report in the manner indicated in the Conclusion quoted in paragraph 8 of the present *Opinion* in time to permit the publication of the revised text in the *Compte Rendu* of the Twelfth International Congress of Zoology. Accordingly, the report as there published is identical in every respect with the report actually submitted to, and approved by, the Congress at the Concilium Plenum held on 21st September 1935. The corrected text of the report has been published in 1943, *Bull. zool. Nomencl.* **1** : 53–62, with notes by the Secretary to the Commission on the corrections so made (*ibid.* **1** : 64–69).

- Serville was Rehn, who in 1905 (*Proc. Acad. nat. Sci. Philad.* **57** : 827) designated *G. maculicollis* as the type. If, as is commonly held (e.g. by Kirby, 1906, *Syn. Cat. Orthopt.* **2** : 144), that name is a synonym of *Gryllus signifera* Stoll, 1813 (*Spectres Saut.* : 26), the first type designation of this genus is that by Chenu, 1859 (*Ency. Hist. nat. Annel.* : 66), who specified *G. signifera*, thereby automatically specifying *G. maculicollis*, one of the originally included species. Both these designations have priority over Kirby's selection of *G. ruficeps* Serville in 1906 (*Syn. Cat. Orthopt.* **2** : 139, 143).
- (e) *Gryllotalpa* Latreille. The date of this name was given in the report as 1802. It has since been ascertained (Griffin, 1938, *J. Soc. Bibl. nat. Hist.* **1** : 157) that volume **3** of the work by Latreille in which this name was first published should be dated [1802-1803].
- (f) *Mantis* Linnaeus. (i) Under *Opinion* 124 the subdivisions of genera by Linnaeus in the 10th edition of the *Syst. Nat.* do not rank as of subgeneric value as from that date (1758), except in any case where the International Commission by using their plenary powers to suspend the rules direct otherwise, as they did at Lisbon in the case of the name *Locusta* (Lisbon Session, 2nd Meeting, Conclusion 18).⁵ All that the Commission did at Lisbon in the case of the name *Mantis* as a generic name was to agree that it should be placed on the *Official List of Generic Names*, with standing as from the date of its first valid publication. This was in 1767 (*Syst. Nat.* (ed. 12) **1** (2) : 689). The date "1758" given for *Mantis* in the Lisbon report was a *lapsus calami*.
- (ii) Linnaeus originally published the name of the type of this genus as *Gryllus religiosus* not as *Gryllus religiosa*, the form given in the Lisbon report.
- (g) *Myrmecophilus* Berthold. The date of *Blatta acervorum* Panzer, the type of this genus, should be cited in square brackets, since the Parts of Panzer's *Faun. Ins. germ.* are undated and their dates of publication can only be ascertained from external sources.
- (h) *Oedipoda*. The author of this name is Latreille and not Serville, as inadvertently stated in the Lisbon report; the date of publication is 1829 not 1831. The name was

⁵ See *Opinion* 158.

first published by Latreille in Cuvier, *Règne Anim.* (ed. 2) **5** : 188.

- (i) *Phyllium* Illiger. In the version of the Lisbon report published in 1936 this name was, through a printer's error, misspelt *Phyllum*.
- (j) *Prophalangopsis* Walker. The date of publication of *Tarraga obscura* Walker, the type of this genus, is 1869 not 1868 (as stated in the Lisbon report). The reference is *Cat. Dermapt. Saltat. Brit. Mus.* **1** : 100.
- (k) *Proscopia* Klug. According to the information supplied to the Commission at Lisbon, the first of the originally-included species validly to be designated as the type of this genus under Article 30 of the Code was *Proscopia oculata* Klug, 1820, and this information was accepted by the Commission, subject (as in the case of all similar data) to verification after the close of the Congress (see paragraph 8 of the present *Opinion*). In fact, however (as pointed out by Roberts, 1941, *Trans. amer. ent. Soc.* **67** : 20), the first of the originally-included species to be designated as the type was *Proscopia gigantea* Klug, 1820, that species having been so designated twice before Kirby in 1910 (*Syn. Cat. Orthopt.* **3** : 83, 84) selected *Proscopia oculata* Klug as the type. The first selection of *Proscopia gigantea* Klug as the type was by Guérin in 1828 (*Dict. Class. Hist. nat.* **14** : 297); the second was by Kirby himself in 1890 (*Sci. Proc. R. Dublin Soc.* (n.s.) **6** : 586). In these circumstances, it has been necessary, under the general directions given by the Commission, to substitute *Proscopia gigantea* Klug for *Proscopia oculata* Klug as the type of this genus in correcting the Lisbon report. This change does not affect the systematic position of the genus *Proscopia* Klug according to recent authors (e.g. Hebard, 1924, *Trans. amer. ent. Soc.* **50** : 93 and Roberts, 1941, *ibid.* **67** : 20), who treat *Proscopia oculata* and *Proscopia gigantea* as congeneric.
- (l) *Psophus* Fieber. Through some misunderstanding the name of this genus was given in the Lisbon report as *Psopha* Fieber, 1852 (in Kelch, *Grundl. Orth. Obersches.* : 2) instead of as *Psophus* Fieber, 1853 (*Lotos* **3** : 122). This was purely by inadvertence since *Psopha* Fieber, 1852, is invalid, as it is a homonym of *Psopha* Billberg, 1828 (*Syn. Scand.* **1** (2) : tabell. A). That this was so was recognised by Fieber himself and it was for this reason that within a

year of the publication of *Psopha* he replaced that name by the name *Psophus*. The genus is monotypical.

- (m) *Tridactylus* Olivier. According to the information given to the International Commission at Lisbon, the type of this genus was *Acheta digitata* Coquebert, 1804, that species having been so designated by "Latreille, 1804", *i.e.* by Latreille, [1803-1804]⁶ (*in* Sonnini's Buffon), *Hist. nat. gén. partic. Crust. Ins.* 12: 120. In that work Latreille said (a) that "l'espèce d'après laquelle j'ai établi" the characters there cited for *Tridactylus* Olivier was *Tridactylus paradoxus* Latreille and (b) that the latter was the same species as *Acheta digitata* Coquebert, 1804. In actual fact, the first occasion on which any species was placed in the genus *Tridactylus* Olivier is Latreille, [1802-1803],⁷ (*in* Sonnini's Buffon), *Hist. nat. gén. partic. Crust. Ins.* 3: 276, which also is the place where the name *Tridactylus paradoxus* Latreille was first published. As that species was the sole species placed by Latreille in this genus on that occasion, the genus is monotypical and *Tridactylus paradoxus* Latreille is automatically the type. Fortunately, the correction which it has in consequence been necessary to make in the Lisbon report is a purely formal one only, since *Tridactylus paradoxus* Latreille and *Acheta digitata* Coquebert are no more than different names for a single species.

10. The following is the text of the decision taken by the Commission at Lisbon in the present case (Lisbon Session, 2nd Meeting, Conclusion 20):—

to render an *Opinion* placing on the *Official List of Generic Names* the under-mentioned twenty-two⁸ nomenclatorially available generic names in the Orthoptera, with the types indicated, each of which has been duly designated in accordance with the provisions of the Code:—

Name of genus	Type of genus
(1) <i>Bacillus</i> Le Peletier de Saint-Fargeau & Serville, 1825, <i>Ency. méth. Hist. nat.</i> 10: 446	<i>Mantis rossia</i> Rossi, 1790, <i>Faun. etrusc.</i> 1: 259 (monotypical)
(2) <i>Chelidura</i> Berthold, 1827, <i>in</i> Latreille, <i>Nat. Fam. Thierr.</i> : 409	<i>Forficula aptera</i> Charpentier, 1825, <i>Hor. Ent.</i> : 69 (type designated by Serville, 1831, <i>Ann. Sci. nat.</i> 22: 36 (as <i>Chelidoura</i>))

⁶ Volume 12 is dated "An XII", the equivalent of 24th Sept. 1803-22nd Sept. 1804 (see Griffin, 1939, *J. Soc. Bibl. nat. Hist.* 1: 249).

⁷ For the date here assigned to this volume, see note (e) above.

⁸ For the reasons explained in paragraph 5 above, the twenty-second name (*Tylopsis* Fieber) is not dealt with in the present *Opinion*.

Name of genus	Type of genus
(3) <i>Eumastax</i> Burr, 1899, <i>An. Soc. esp. Hist. nat.</i> 28 : 75, 94, 257	<i>Mastax tenuis</i> Perty, 1832, <i>Del. Anim. artic. Brasil</i> (2) : 123 (monotypical)
(4) <i>Gampsocleis</i> Fieber, 1852, in Kelch, <i>Grundl. Orth. Obersches.</i> : 2	<i>Locusta glabra</i> Herbst, 1786, in Fuessly, <i>Arch. Ins.</i> 7 : 193 (monotypical)
(5) <i>Gryllacris</i> Serville, 1831, <i>Ann. Sci. nat.</i> 22 (86) : 138	<i>Gryllacris maculicollis</i> Serville, 1831, <i>Ann. Sci. nat.</i> 22 (86) : 139 (type designated by Rehn, 1905, <i>Proc. Acad. nat. Sci. Philad.</i> 57 : 827)
(6) <i>Gryllotalpa</i> Latreille, [1802-1803], (in Sonnini's Buffon) <i>Hist. nat. gén. partic. Crust. Ins.</i> 3 : 275	<i>Gryllus gryllotalpa</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) : 428 (monotypical)
(7) <i>Hemimerus</i> Walker, 1871, <i>Cat. Dermapt. Saltat. Brit. Mus.</i> 5 <i>Suppl. Dermapt. Salt.</i> : 2	<i>Hemimerus talpoides</i> Walker, 1871, <i>Cat. Dermapt. Saltat. Brit. Mus.</i> 5 <i>Suppl. Dermapt. Salt.</i> : 2 (monotypical)
(8) <i>Labia</i> Leach, 1815, <i>Brewster's Edinburgh Ency.</i> 9 (1) : 118	<i>Forficula minor</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) : 423 (monotypical)
(9) <i>Leptophyes</i> Fieber, 1852, in Kelch, <i>Grundl. Orth. Obersches.</i> : 3	<i>Locusta punctatissima</i> Bosc, 1792, <i>Actes Soc. Hist. nat. Paris</i> 1 (1) : 45 (monotypical)
(10) <i>Mantis</i> Linnaeus, 1767, <i>Syst. Nat.</i> (ed. 12) 1 (2) : 689	<i>Gryllus religiosus</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) : 426 (type designated by Latreille, 1810, <i>Consid. gén. Anim. Crust. Arach. Ins.</i> : 433)
(11) <i>Myrmecophilus</i> Berthold, 1827, in Latreille, <i>Nat. Fam. Thievr.</i> : 409	<i>Blatta acervorum</i> Panzer, [1799], <i>Faun. Ins. germ.</i> (68) : Tab. 24 (monotypical)
(12) <i>Oedipoda</i> Latreille, 1829, in Cuvier, <i>Règne Anim.</i> (ed. 2) 5 : 188	<i>Gryllus caerulescens</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) : 432 (type designated by Kirby, 1910, <i>Syn. Cat. Orthopt.</i> 3 : 238)
(13) <i>Phyllium</i> Illiger, 1798, in Kugelann, <i>Käfer Preuss.</i> : 499	<i>Gryllus siccifolius</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) : 425 (monotypical)
(14) <i>Prophalangopsis</i> Walker, 1871, <i>Cat. Dermapt. Saltat. Brit. Mus.</i> 5 <i>Suppl. Dermapt. Salt.</i> : 116	<i>Tarraga obscura</i> Walker, 1869, <i>Cat. Dermapt. Saltat. Brit. Mus.</i> 1 : 100 (monotypical)
(15) <i>Proscopia</i> Klug, 1820, <i>Hor. phys. Berol.</i> : 17	<i>Proscopia gigantea</i> Klug, 1820, <i>Hor. phys. Berol.</i> : 18 (type designated by Guérin, 1828, <i>Dict. Class. Hist. nat.</i> 14 : 297)
(16) <i>Psophus</i> Fieber, 1853, <i>Lotos</i> 3 : 122	<i>Gryllus stridulus</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) : 432 (monotypical)
(17) <i>Saga</i> Charpentier, 1825, <i>Hor. Ent.</i> : 95	<i>Locusta serrata</i> Fabricius, 1793, <i>Ent. syst.</i> 2 : 43 (monotypical)
(18) <i>Schizodactylus</i> Brullé, 1835, <i>Hist. nat. Ins.</i> 9 (Orth.) : 161	<i>Gryllus monstrosus</i> Drury, 1773, <i>Ill. nat. Hist.</i> 2 : index & 81 (monotypical)

Name of genus	Type of genus
(19) <i>Sphingonothus</i> Fieber, 1852, in Kelch, <i>Grundl. Orth. Obersches.</i> : 2	<i>Gryllus caerulans</i> Linnaeus, 1767, <i>Syst. Nat.</i> (ed. 12) 1 (2) : 701 (monotypical)
(20) <i>Stenopelmatus</i> Burmeister, 1838, <i>Handb. Ent.</i> 2 (2) (No. 1) : 720	<i>Stenopelmatus talpa</i> Burmeister, 1838, <i>Handb. Ent.</i> 2 (2) (No. 1) : 721 (type designated by Kirby, 1906, <i>Syn. Cat. Orthopt.</i> 2 : 111)
(21) <i>Tridactylus</i> Olivier, 1789, <i>Ency. méth.</i> 4 (Ins.) : 26	<i>Tridactylus paradoxus</i> Latreille, [1802-1803], (in Sonnini's Buffon), <i>Hist. nat. gén. partic. Crust. Ins.</i> 3 : 276 (monotypical)

11. The decisions set out above were embodied in paragraph 24 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

12. The *Opinion* as set out in paragraph 10 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

13. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was not present on that occasion indicated disagreement with the conclusions then reached by the Commission in this matter.

14. The following five (5) Commissioners who were neither present at the Lisbon Session of the International Commission nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT
OPINION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held in Lisbon in September 1935;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Forty Nine (*Opinion* 149) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fifteenth day of March, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

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Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above : and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Three Parts have so far been published : Part 1 (introductory, including an account of the functions and powers of the Commission and a summary of the work so far achieved) ; Part 2 (relating to the financial position of the Commission) ; Part 3 (containing the official records of the decisions taken by the Commission at their meeting at Lisbon in 1935).

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

Volume 1 will contain *Declarations 1-9* (which have never previously been published) and *Opinions 1-133* (the original issue of which is now out of print). Parts 1-8 (containing *Declarations 1-8*) have now been published.

Volume 2 commences with *Declaration 10* and *Opinion 134*. Parts 1-17 (containing *Opinions 134-150*) have so far been published. The titles of these *Opinions* are given on the wrappers to Parts 1 and 2 of the *Bulletin*. Other Parts will be published shortly.

**AN URGENT APPEAL FOR A FUND OF £1800 TO
ENABLE THE INTERNATIONAL COMMISSION TO
CONTINUE ITS WORK**

The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the "International Commission on Zoological Nomenclature" and crossed "Account payee. Coutts & Co."

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 17. Pp. 161-168.

OPINION 150

On the dates of publication of the several
portions of Hübner (J.), *Verzeichniss bekannter
Schmettlinge* [sic], 1816-[1826]

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1943

Price two shillings and sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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Dr. Frederick CHAPMAN (Australia).
Mr. Francis HEMMING (United Kingdom) (*Secretary to the Commission*).
Dr. Karl JORDAN (United Kingdom) (*President of the Commission*).
Monsieur le Docteur Jacques PELLEGRIN (France).
Herr Professor Dr. Rudolf RICHTER (Germany).

Secretariat of the Commission :

British Museum (Natural History), Cromwell Road, London, S.W. 7.

Publications Office of the Commission :

41, Queen's Gate, London, S.W. 7.

Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.

* This vacancy was caused by the death on 23rd May, 1939, of Dr. Witmer STONE (U.S.A.).

† This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former *Secretary to the Commission* (1897-1935).

OPINION 150.

ON THE DATES OF PUBLICATION OF THE SEVERAL PORTIONS OF HÜBNER (J.), *VERZEICHNISS BEKANNTER SCHMETTLINGE* [sic], 1816-[1826].¹

SUMMARY.—The dates of publication of Jacob Hübner's *Verzeichniss bekannter Schmettlinge* [sic] should be determined in the light of the evidence made available as the result of the discovery of Hübner's manuscripts. The conclusions to be drawn from that evidence are summarised in paragraph 8 of the present *Opinion*.

I.—THE STATEMENT OF THE CASE.

This question was raised by the International Committee on Entomological Nomenclature at its meeting held in Paris in 1932. At this meeting the International Committee adopted the following resolution :—

Les dates de Hübner, *Verzeichniss*

Les Citations dans le *Verzeichniss* de quelques planches des *Zuträge* ne prouvent pas que ces pages du *Verzeichniss* aient été publiées postérieurement aux planches citées.

2. This resolution was submitted by the International Committee on Entomological Nomenclature to Section VIII (Section on Nomenclature) of the Fifth International Congress of Entomology, by whom it was unanimously approved. Finally, this resolution was adopted by the Fifth International Congress of Entomology in Concilium Plenum on the presentation of the Report of the Secretary of the Executive Committee of the Congress.

II.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

3. This subject was considered by the International Commission on Zoological Nomenclature at the second meeting of their Session held at Lisbon in September 1935 during the meeting of the Twelfth International Congress of Zoology. At this

¹ Dates such as this which are ascertainable only from external sources are cited in square brackets.

meeting, which was held on the morning of Monday, 16th September 1935, the International Commission (Lisbon Session, 2nd Meeting, Conclusion 11) :—

- (a) took note that since the adoption by the International Committee on Entomological Nomenclature of the Resolution referred to above,² the surviving manuscripts of Jacob Hübner had been discovered and that it was likely that these manuscripts, which were now being examined by Commissioner Hemming, would throw important fresh light on the problem of the dates of publication of this,³ and other, works published by Jacob Hübner;
- (b) agreed that, in view of (a) above, the question of the dates of publication of Hübner's *Verzeichniss bekannter Schmettlinge* [sic] was one which should be determined in the light of the evidence made available as the result of the discovery of Hübner's manuscripts and that in consequence no action should be taken on the resolution on this subject adopted by the International Committee on Entomological Nomenclature;
- (c) agreed to render an *Opinion* in the sense of (b) above.

4. At their meeting held at Lisbon on the morning of Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)) he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session.

² The resolution in question is that quoted in paragraph 1 of the present *Opinion*.

³ The work here referred to is the *Verzeichniss bekannter Schmettlinge*.

For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in the report.

5. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the Commission as set out in paragraph 4 above.

6. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

7. The present *Opinion* was dissented from by no Commissioner or Alternate at the Lisbon Session. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion*:—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

8. The surviving manuscripts of Jacob Hübner referred to in the Conclusion adopted by the Commission at Lisbon (quoted in full in paragraph 3 of the present *Opinion*) came into the possession of the Royal Entomological Society of London in February 1935. A start was at once made by Commissioner Hemming in

examining the documents involved, in order to ascertain what fresh evidence they contained in regard to the dates of publication of Hübner's entomological works; but in view of the large number of documents involved it was not until the autumn of 1936 that this task was completed. The results of this investigation, together with particulars of evidence on this subject drawn from all other available sources, were set out by Commissioner Hemming in a work entitled *Hübner* published by the Royal Entomological Society in February 1937. The evidence relating to the dates of publication of the several portions of Hübner's *Verzeichniss bekannter Schmettlinge* [sic], together with an analysis of the conclusions to be drawn therefrom, is given in Part 2, Chapter II, of that work (*Hübner* 1: 488-517). The final conclusions there reached are as follows:—

The dates of publication of Hübner (J.), *Verzeichniss bekannter Schmettlinge* [sic], 1816-[1826]

Signature	Pages	Species nos.	Date of publication
<i>Verzeichniss</i>			
1	[1]-[3]-4-16	1-96	1816
2-8	17-128	97-1379	[1819]
9-11	129-176	1380-1822	[1819]
12-13	177-208	1823-2084	[1820]
14-15	209-240	2085-2388	[1821]
16	241-256	2389-2531	[1821]
17-19	257-304	2532-2936	[1823]
20-27	305-431	2937-4198	[1825]
<i>Anzeiger</i>			
1-9	1-72	—	[1826]

III.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same

before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty (*Opinion* 150) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this sixteenth day of March, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above : and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Parts 1-3 of Volume 1 have so far been published.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

Parts 1-8 of Volume 1 (containing *Declarations* 1-8) have so far been published.

Parts 1-17 of Volume 2 (containing *Opinions* 134-150) have so far been published.

Additional Parts of both Volumes will be published shortly.

AN URGENT APPEAL FOR A FUND OF £1800 TO ENABLE THE INTERNATIONAL COMMISSION TO CONTINUE ITS WORK

The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the " International Commission on Zoological Nomenclature " and crossed " Account payee. Coutts & Co."

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 20. Pp. 169-180.

OPINION 151

On the status of the names *Lasius* Panzer, [1801-1802], *Podalirius* Latreille, 1802, *Lasius* Fabricius, [1804-1805], and *Anthophora* Latreille, 1803 (Class Insecta, Order Hymenoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1944

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION OF THE COMMISSION

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Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

Assistant Secretary : Dr. James L. Peters (U.S.A.).

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Professor Teiso ESAKI (Japan).

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Dr. Harold E. VOKES (U.S.A.).

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Publications Office of the Commission :

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Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.

* This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).



OPINION 151.

ON THE STATUS OF THE NAMES *LASIUS* PANZER, [1801–1802], *PODALIRIUS* LATREILLE, 1802, *LASIUS* FABRICIUS, [1804–1805], AND *ANTHOPHORA* LATREILLE, 1803 (CLASS INSECTA, ORDER HYMENOPTERA).

SUMMARY.—Under suspension of the rules (i) the name *Lasius* Panzer, [1801–1802], and (ii) the name *Podalirius* Latreille, 1802 (Class Insecta, Order Hymenoptera) are suppressed; (iii) all existing type designations for *Lasius* Fabricius, [1804–1805], and *Anthophora* Latreille, 1803, are set aside; (iv) *Formica nigra* Linnaeus, 1758, is hereby designated as the type of *Lasius* Fabricius; and (v) *Apis pilipes* Fabricius, 1775, is hereby designated as the type of *Anthophora* Latreille. The names *Lasius* Fabricius and *Anthophora* Latreille (Class Insecta, Order Hymenoptera), with the types indicated above, are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 594 and 595.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Hymenoptera in all countries, the following petition signed by Professor Chester Bradley and 59 other hymenopterists was submitted to the International Commission:—

The case of *Lasius*, *Podalirius* and *Anthophora*

Lasius Fabricius 1804¹ applies to a genus of ants. Latreille in 1809 sank it as a synonym of *Formica*. Mayr in 1861 revived *Lasius* Fabr. and designated *Formica nigra* L. as type. The name has since been universally used for the very common genus of ants for which it was proposed.

But Jurine, 1801 (Panzer: Erlangen List) had established a *Lasius* for a genus of bees (type: *Apis quadrimaculata* Panzer, a well-known European bee). Until Morice and Durrant, 1914, called attention to it, this prior use of *Lasius* had escaped the attention of all subsequent writers, who, as pointed out by Morice and Durrant, if they recognised it at all, ascribed it to Jurine, 1807, and hence later than the synonyms *Podalirius* and *Anthophora*.

Podalirius was established by Latreille (1802). Latreille proposed *Anthophora* as a substitute name for *Podalirius* on the ground that the

¹ The correct date of Fabricius's *Systema Piezatorum* is [1804–1805], not 1804, as here stated. See Griffin, 1935, in Richards, *Trans. R. ent. Soc. Lond.* **83**: 144.

latter was preoccupied in plants. Therefore when in 1810 he made *pilipes* type of *Podalirius*, it became, *ipso facto*, type of *Anthophora*. Since 1803 authors have universally used *Anthophora*, have made it type of the subfamily ANTHOPHORINAE and of the family ANTHOPHORIDAE; except that Dalla Torre in his *Catalogus Hymenopterorum* quite correctly restored *Podalirius* and changed the subfamily to PODALIRINAE. Nevertheless subsequent writers on bees have mostly continued to use *Anthophora* and ANTHOPHORIDAE.

In view of the above facts, of the extreme confusion that would be caused by the substitution of the name of a well-known genus of ants for that of a large and common genus of bees, with its dependent subfamily and family; and in further view of the lesser confusion that would be caused by having to adopt *Podalirius* for *Anthophora*, the undersigned respectfully request the International Commission on Zoological Nomenclature to take the following action, to wit:

- (1) to suspend the rules in the cases of the genera *Lasius* Jurine, *Lasius* Fabricius, *Podalirius* Latreille, and *Anthophora* Latreille;
- (2) to permanently reject *Lasius* Jurine (or Panzer) 1801, type *Apis quadrimaculata*; and *Podalirius* Latreille, 1803, type *Apis pilipes* Fabr.;
- (3) to validate *Anthophora* Latreille, 1803, type *Apis pilipes* Fabr., and *Lasius* Fabricius, 1804, type *Formica nigra* L.;
- (4) to place on the *Official List of Generic Names Anthophora* Latr., 1803, type *Apis pilipes* Fabr., for the genus of bees commonly known by that name, and *Lasius* Fabr., 1804, type *Formica nigra* L., for the genus of FORMICIDAE commonly known by that name.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission:—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	M. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiy
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	E. Kruger †
W. M. Mann	P. Roth	W. Hellen †
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H. von Ihering †	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balouf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration the Committee decided to frame its recommendations to the International Commission on Zoological Nomenclature, first on the assumption that the Commission would agree to use their plenary powers to suppress the "Erlangen List" in which the name *Lasius* Jurine, 1801, was published, and second on the assumption that the Commission would not be able to see their way to deal with the problem in this radical fashion. If the first of these courses were taken by the International Commission, there would be no need to suspend the rules for the purpose of eliminating the name *Lasius* Jurine, 1801, since that name would cease to be available nomenclatorially immediately the "Erlangen List" was suppressed. It would still be necessary, however, for the International Commission to use their plenary powers in order to achieve the object indicated in the petition. The International Committee accordingly recommended that, if the "Erlangen List" were not suppressed, the whole of the petition should be granted; and that, if the "Erlangen List" were suppressed, the petition, less the portion relating to *Lasius* Jurine, 1801, should be granted.

5. These and other resolutions adopted by the International Committee at its meeting held at Madrid were subsequently confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they

found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the names *Lasius* Panzer, [1801-1802], *Podalirius* Latreille, 1802, *Lasius* Fabricius, [1804-1805], and *Anthophora* Latreille, 1803, was among the cases in question and was accordingly dealt with by the Commission under the above procedure.

7. At their meeting held at Lisbon on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 13), the International Commission unanimously agreed to use the plenary powers conferred upon them by the Ninth International Congress of Zoology at Monaco in 1913, in order to suppress the "Erlangen List".² When, therefore, at their meeting held on the afternoon of the same day (Lisbon Session, 3rd Meeting, Conclusion 2) the Commission came to consider the present case, they found that there was no need to make use of their plenary powers so far as the name *Lasius* Jurine, 1801, was concerned, since that name had ceased to be available on the suppression of the "Erlangen List". The Commission proceeded therefore to consider this case in the light of the recommendations framed by the International Committee on Entomological Nomenclature in anticipation of the decision that the "Erlangen List" should be suppressed.

² See *Opinion* 135.

8. After careful consideration, the International Commission decided to adopt the recommendations submitted in this case by the International Committee on Entomological Nomenclature, and accordingly agreed :³—

(b) under " suspension of the rules " permanently to reject the following generic names :—

(8) *Lasius* Panzer, [1801-1802],⁴ *Faun. Ins. germ.* (86) : Tab. 16

(9) *Podalirius* Latreille, 1802, *Hist. nat. Fourmis* : 430

(c) under " suspension of the rules " to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below :—

Name of genus	Type of genus
(21) <i>Lasius</i> Fabricius, [1804-1805], ⁵ <i>Syst. Piezat.</i> : 415	<i>Formica nigra</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) : 580
(22) <i>Anthophora</i> Latreille, 1803, <i>Nouv. Dict. Hist. nat.</i> 18 : 167	<i>Apis pilipes</i> Fabricius, 1775, <i>Syst.</i> <i>Ent.</i> : 383

(d) under " suspension of the rules " to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated;

(e) to render *Opinions* in the sense of (a) to (d) above.

9. The foregoing decisions were embodied in paragraph 27 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

10. In accordance with the decision taken by the Commission

³ Only those portions of Conclusion 2 which relate to the present case are here quoted. For the full text of this Conclusion, see 1943, *Bull. zool. Nomencl.* 1 : 27-30.

⁴ The date of *Lasius* Panzer was inadvertently given in the Lisbon report as 1804. The correct date for *Hefte* 86 of Panzer's *Faun. Ins. germ.*, in which this name was first published, is [1801-1802]. Dates assigned to names published in this work should be cited in square brackets, since the *Hefte* in which it was published are undated and their dates of publication can only be ascertained from outside sources.

⁵ See footnote 1.

at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁶ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of the names specified in paragraph 8 above, no communication of any kind has been received by the International Commission objecting to the issue of an *Opinion* in the terms proposed.

11. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

12. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion*:—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application

⁶ See *Declaration* 5.

of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion* :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty One (*Opinion* 151) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this sixth day of April, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 21. Pp. 181-196.

OPINION 152

On the status of the generic names in the Order
Diptera (Class Insecta) first published in 1800
by J. W. Meigen in his *Nouvelle Classification
des Mouches à deux ailes*

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1944

Price four shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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Personal address of the Secretary :

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* This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former *Secretary to the Commission* (1897-1935).



OPINION 152.

ON THE STATUS OF THE GENERIC NAMES IN THE ORDER DIPTERA (CLASS INSECTA) FIRST PUBLISHED IN 1800 BY J. W. MEIGEN IN HIS *NOUVELLE CLASSIFICATION DES MOUCHES À DEUX AILES*.

SUMMARY.—The generic names in the Order Diptera (Class Insecta) first published in 1800 by J. W. Meigen in his *Nouvelle Classification des Mouches à deux ailes* are to be treated as having priority as from that date. Where, in the case of any given name first published in the above work, specialists in the group concerned are of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity, the specialists in question should submit full particulars to the International Commission with such recommendations for the suspension of the rules in the case of that generic name as they may consider the most appropriate.

I.—THE STATEMENT OF THE CASE.

During the meeting of the Fifth International Congress of Entomology held in Paris in July 1932, the Section on Nomenclature (Section VIII) constituted an *ad hoc* committee on nomenclature for the duration of the Congress (*Compte Rendu* : 57). This committee, by a majority of 4 to 2, decided to recommend the adoption by Section VIII of the following resolution :—

Meigen, *Nouvelle Classification*, 1800

Resolution : La Section VIII, étant d'opinion qu'il y aurait maintenant plus de confusion à rejeter les noms génériques de la " Nouvelle Classification " de MEIGEN 1800 qu'à les retenir, recommande par conséquent qu'ils soient définitivement adoptés.

2. This and other resolutions adopted by the *ad hoc* committee were subsequently adopted by Section VIII of the Congress (*Compte Rendu* : 57). At the close of the Congress, these resolutions were laid before the Congress at the final Concilium Plenum in the report presented by the Permanent Secretary to the Executive Committee of the Congress. The Congress was then asked to confirm or reject each resolution without discussion (*Compte Rendu* : 57). In the published version of the Report of

the Permanent Secretary, an annotation (in heavy clarendon type) is added at the end of each resolution indicating the action taken in regard thereto under this procedure by the Concilium Plenum of the Congress. In the case of the resolution quoted in paragraph 1 above, the annotation so added (*ibid.* : 58) reads : " Adopté par majorité contre dix voix." Immediately below the last of the resolutions so adopted by the Paris Congress there appears the following note (*ibid.* : 58) : " Toutes ces Résolutions doivent être soumises au Comité international pour la Nomenclature entomologique."

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The first meeting after the Paris Congress of the International Committee on Entomological Nomenclature was held at Madrid in the second week of September 1935 during the meeting of the Sixth International Congress of Entomology. At this Session the International Committee were confronted with an exceptionally long agenda in view of the large number of cases that had been referred to them by the International Commission on Zoological Nomenclature with a request for a statement of their views in time for consideration by the International Commission at their Session arranged to open at Lisbon immediately after the close of the Madrid Congress. In these circumstances, the International Committee concentrated the bulk of the attention upon these cases, even though they recognised that by so doing they might be unable to give detailed consideration to each of the resolutions adopted by the Paris Congress. As regards the resolution adopted at that Congress in regard to Meigen's *Nouvelle Classification*, the International Committee took the view that the division of opinion among dipterists in regard to this work was such that it was impossible to find a solution that would be agreeable to all concerned; the most that the International Commission on Zoological Nomenclature could hope to do would be to devise some arrangement which would provide a basis on which later a settlement could be framed.

4. At their meeting held on Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 8), the International Commission on Zoological Nomenclature re-affirmed the view expressed in reports submitted by them to previous meetings of the International Congress of Zoology that great weight should be attached to recommendations submitted by groups of special-

ists such as the International Committee on Entomological Nomenclature and the corresponding body formed recently in the case of ornithology. The Commission felt bound, however, to reserve to themselves the right in all cases of deciding whether recommendations so submitted were in conformity with the principles of the Code and were within the powers granted to the Commission at successive meetings of the International Congress of Zoology.¹ The Commission accordingly decided to guide themselves by these principles in their examination of the recommendations submitted by the Fifth International Congress of Entomology at their meeting held in Paris in 1932.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

5. The resolution in regard to Meigen's *Nouvelle Classification* quoted in paragraph 1 above was considered by the International Commission at Lisbon at their meeting held on the morning of Monday, 16th September 1935. In the course of the discussion of the problems involved, attention was drawn to the following considerations:—

- (i) The present was the second occasion on which the Commission had been asked to render an *Opinion* on Meigen's *Nouvelle Classification*. The first was in 1909 when Professor J. M. Aldrich had asked for a decision on the validity of the generic names published in this work and, in doing so, had expressed the view that "nothing in recent years has threatened the nomenclature of Diptera with such an overturning as the position taken by three European entomologists in recognizing this paper as a valid nomenclatural contribution."
- (ii) At the time that Professor Aldrich submitted this case, the only power of the Commission was to render *Opinions* on questions involving—directly or indirectly—the interpretation of the Code, as it was not until four years later that (in 1913) the Ninth International Congress of Zoology at their Monaco meeting had conferred upon the Commission plenary powers to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion

¹ See *Declaration* 10.

than uniformity. Thus, at the time of the receipt of Professor Aldrich's application, the only question which it was open to the Commission to consider was whether Meigen's *Nouvelle Classification* had, or had not, been published within the meaning of the Code. For the reasons given in their *Opinion* on this subject (*Opinion 28* published in October 1910), the Commission had reached the conclusion that the *Nouvelle Classification* had been duly published. They had accordingly adopted the following conclusion which they had set out in the "Summary" of *Opinion 28*:—

"The generic names contained in Meigen's 'Nouvelle Classification', 1800, must take precedence over those in his 'Versuch', 1803, in every case where the former are found to be valid under the International Code."

- (iii) The present application dealt with an entirely different aspect of the problem, for, in effect, it asked that the Commission should use their plenary powers to suspend the rules, in order to declare that the generic names first published in the *Nouvelle Classification* should now be "definitively adopted". That such a proposal should have been put forward could only be due to a misapprehension of the position. No such action was required—or would be appropriate—since (as stated in *Opinion 28*) the *Nouvelle Classification* satisfied the requirements of the Code as regards publication. The present position was therefore that the names first published in that work, if otherwise available, should be used in preference to any later name in every case where the genera so named could be identified and type species could be assigned to them.
- (iv) It was obvious that, before any given generic name first published in the *Nouvelle Classification* could be accepted as valid under the Code, it would be necessary to determine whether that name was available nomenclatorially. Four questions were involved in this process. The first and third of these were concerned with nomenclatorial questions, while the answers to the second and fourth depended on decisions taken on taxonomic grounds. The questions to be answered were:—
- (a) Is the name a homonym of some other name previously published for a genus in any part of the animal kingdom?

- (b) If the answer to (a) is in the negative, what is the species which, under the procedure indicated in *Opinion* 46, should be accepted as the type of the genus?
- (c) Is the species recognised under (b) above as the type of the genus also the type of another genus having an older and nomenclatorially available name?
- (d) If the answer to (c) is in the negative, should the species recognised as the type of the genus be regarded as congeneric with some other species that is the type of a genus having an older and nomenclatorially available name?

Only where questions (a), (c) and (d) were all answered in the negative is the name in question a name which could—and should—be brought into use for the species recognised under (b) above as its type and for any other species which on taxonomic grounds are regarded as congeneric therewith.

- (v) Although Meigen placed no species in the genera first published in the *Nouvelle Classification*, this was because in that work he was only concerned with genera. It was certainly in no way due to any failure on his part to accept the principles of binary nomenclature, whether that term was interpreted in the sense indicated in *Opinion* 20 or in the narrower sense proposed in the resolution voted upon at the Eleventh International Congress of Zoology at Padua in 1930. Thus, whatever decision might ultimately be taken as the definition of the term "binary nomenclature", that decision could in no circumstances have any bearing upon the status of the names in Meigen's *Nouvelle Classification*.²
- (vi) Generic names first published without originally included species were always liable to give rise to difficulty and to prove a stumbling block in the way of attaining stability in nomenclature. The procedure for dealing with such cases that had been indicated by the Commission in *Opinion* 46 did not—and in the nature of things could not—provide an automatic means of determining the types of such genera.

² The question of the meaning to be attached to the expression "binary nomenclature" as used in the International Code is at present *sub judice*, having been expressly referred to the International Commission on Zoological Nomenclature by the Twelfth International Congress of Zoology. For further particulars, see 1943, *Bull. zool. Nomencl.* 1: 45, 55.

It was inevitable therefore that cases should arise where specialists would differ on the question of the identity of the type of a genus of this kind. Where this happened, the only way of securing stability for the nomenclature of the group concerned was to obtain from the International Commission an *Opinion* under their plenary powers either definitely selecting a given species as the type of the genus or suppressing the generic name altogether. In the case of Meigen's *Nouvelle Classification*, it must be noted that those specialists who claimed to have recognised genera first named in the *Nouvelle Classification* were by no means unanimous regarding the identity of the type species of the genera so recognised.

- (vii) Another difficulty that was always liable to arise in the case of genera first published without included species (such as those in the *Nouvelle Classification*) was that it might prove impossible to recognise any species as certainly referable to a particular genus. In such a case, no type could be designated and the genus remained indefinitely a "genus dubium". In such a case, great inconvenience (or confusion) might arise if the name in question—as used by some later author or by the same author in a later publication—had become an important name, for example the type genus of a well-known family, and had thus become deeply embedded in the literature of the group and perhaps also in the technical literature of some allied science. The fact that on its first publication a name was applied to a genus which later it was agreed must be regarded as a *genus dubium* did not in any way affect the nomenclatorial status of that name. Unless it was a homonym of a still earlier name, it continued to be available nomenclatorially, even though attached only to a *genus dubium*. It was obvious that in the interests of zoology as a whole, this was inevitable, since otherwise an author on Phylum "X" who wished to ascertain whether a given name was available for a genus in his group and found that it had already been published as a generic name in some other Phylum "Y", would not—as at present—know at once that the name in question was unavailable in his own group (Phylum "X") but would have to start researches in Phylum "Y" (a group regarding the systematics of which he probably knew nothing) in order to ascertain whether the name with which he was con-

cerned was accepted as the recognisable name of a genus in that Phylum or whether it was regarded as the name of a *genus dubium*. Clearly any such procedure would throw an altogether intolerable burden on workers in other groups. The only way in which the name bestowed upon a *genus dubium* can be made available for use in some other sense is by the use by the International Commission of their plenary powers to suspend the rules in order to suppress for nomenclatorial purposes the use of that name on the occasion on which it was published in connection with the *genus dubium*. Except where such action is taken by the International Commission, any later use is automatically invalid, since the name, when so used, is a dead homonym (under Article 34 of the Code) of the same name when originally used for the *genus dubium*.

- (viii) The Paris resolution in regard to Meigen's *Nouvelle Classification* now before the Commission had not been unanimously adopted by the *ad hoc* committee of the Congress by whom it had been drafted. Nor had the Fifth International Congress of Entomology itself been unanimous, for it had only adopted the resolution by a majority. Further, it was common knowledge that opinion on this subject was deeply divided among dipterists. It was particularly desirable therefore that the Commission should weigh the various relevant considerations with the greatest care in order to ensure that whatever decision they might now take was the one best calculated to promote stability of nomenclature in the Order Diptera.
- (ix) The generic names first published in the *Nouvelle Classification* were of very unequal importance. In the case of some of these names, it was a matter of indifference whether the genus so named could be recognised or not or, if it could be recognised, whether it replaced some other name first published by Meigen in 1803. On the other hand, many of the genera published by Meigen in 1800 had been identified with, and should therefore replace, genera first published by him in 1803. Some of the latter were genera of great importance in the Order Diptera and in a considerable number of cases had given their names to well-known Families in that Order. The supersession of these names by names published in 1800 (of which the same species had been specified as the type) would—it was claimed—

lead to great confusion, without securing any compensating advantage whatever. It was precisely to remove anomalies of this kind resulting from the application of the rules in the International Code to names published long before that instrument had been adopted by the International Congress of Zoology that that body had at Monaco in 1913 conferred upon the International Commission plenary powers to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. There were, therefore, strong grounds for treating these cases individually, in order to determine whether the circumstances were such as to call for the use by the Commission of their plenary powers. Clearly, if an individual examination was to be made of these cases, specialists in the groups concerned should submit to the Commission the data necessary to enable a decision to be taken.

- (x) In assessing the importance to be attached to evidence so supplied it would be necessary for the Commission, when considering names that were widely used either in applied entomology or in the teaching of entomology, to take account of the views of workers in those fields as well as of the opinion of systematic workers in the Order Diptera.

6. At the conclusion of the discussion summarised in the preceding paragraph, the Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 15) :—

to render an *Opinion* indicating :—

- (i) that the generic names first published in 1800 by Johann Wilhelm MEIGEN in his "*Nouvelle Classification des Mouches à deux ailes*" should be treated as having priority as from that date; but
- (ii) that, where in the case of any given generic name first published in the above work, specialists in the group concerned are of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity, the specialists in question should submit full particulars to the Commission with such recommendations for the suspension of the rules in the case of that generic name as they may consider the most appropriate.

7. At their meeting held at Lisbon on the morning of Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had

been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in the report.

8. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the Commission as set out in paragraph 7 above.

9. The present *Opinion* was concurred in by the twelve (12)

Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

10. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of

holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Two (*Opinion* 152) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this seventh day of April, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 23. Pp. 197-208.

OPINION 153

On the status of the names *Bethylus* Latreille,
[1802-1803], and *Dryinus* Latreille, [1804]
(Class Insecta, Order Hymenoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1944

Price three shillings

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(vacant).*

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Dr. Karl JORDAN (United Kingdom) (*President of the Commission*).
Monsieur le Docteur Jacques PELLEGRIN (France).
Herr Professor Dr. Rudolf RICHTER (Germany).

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Senor Dr. Afranio do AMARAL (Brazil).
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Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.

* This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).

OPINION 153.

ON THE STATUS OF THE NAMES *BETHYLUS* LATREILLE, [1802–1803], AND *DRYINUS* LATREILLE, [1804] (CLASS INSECTA, ORDER HYMENOPTERA).

SUMMARY.—Under suspension of the rules (i) all existing type designations for *Bethylus* Latreille, [1802–1803],¹ are suppressed; and (ii) *Omalus fuscicornis* Jurine, 1807, is hereby designated as the type of *Bethylus* Latreille. The names *Bethylus* Latreille, with the type indicated above, and *Dryinus* Latreille, [1804], with type *Dryinus formicarius* Latreille, [1804–1805] (Class Insecta, Order Hymenoptera) are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 596 and 597.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Hymenoptera in all countries, the following petition signed by Professor Chester Bradley and 59 other hymenopterists was submitted to the International Commission:—

The case of *Psilus*, *Bethylus* and *Dryinus*

Under the rules, as shown by Bradley (1919, p. 71),² *Psilus* Jurine, 1801, is the valid name for the genus of wasps universally known as *Bethylus*, type of the family BETHYLIDAE, and therefore the family named BETHYLIDAE must be changed to the unfamiliar family PSILIDAE.

The type of *Bethylus* Latr., 1802, is *Tiphia hemiptera* Fabr., a species not certainly recognizable but which may be a *Dryinus* in the sense of authors (see Dalla Torre) or a *Bethylus* in the sense of the customary usage of that name (see Kieffer). Under the rules it would seem that *Bethylus* as well as the family name BETHYLIDAE must be suppressed.

Dryinus Fabr. (1804, *Syst. Piez.* p. 200) was proposed for five species, *aeneus*, *auripennis*, *planifrons*, *planiceps*, and *explanatus*. Schulz has studied the Fabrician types and finds that no one of these was a *Dryinus* in the sense of Latreille, 1805, and all subsequent authors. So far as I am aware, no one has designated a type for *Dryinus* Fabr., 1804.

Dryinus Latr., 1805, type *D. formicarius* Latr. by designation of Latr., 1810, is a homonym of *Dryinus* Fabr., 1804, as pointed out by Kieffer (1911) and by Schulz (1912) and hence invalid under the Code. Kieffer (*loc. cit.*) has proposed for it the new name *Lestrodryinus*.³

¹ Where the date of a name can be ascertained only by reference to some work other than that in which the name in question was first published, that date is cited in square brackets.

² The reference is to Bradley, 1919, *Trans. ent. Soc. Lond.* 1919 : 71.

³ *Lestrodryinus* Kieffer, 1911, *Bull. Soc. Metz* 27 : 108.

But *Dryinus* Latr. (*nec* Fabr.) is the type of the family DRYINIDAE Haliday, 1837, and most subsequent writers. Schulz (1906) has therefore proposed the name ANTEONIDAE to replace DRYINIDAE Haliday, 1837, basing the name on *Anteon* Jurine, 1807, the next oldest contained genus in the family. In this procedure Schulz appears to the undersigned to be wrong.* Since *Dryinus* Latr., 1805, is type of the family DRYINIDAE Haliday, 1837, but is a homonym of *Dryinus* Fabr., the name of the genus *Dryinus* must be changed (to *Lestrodryinus* Kieffer if it is the first name available under the Code) but the same genus should remain as type under its new name and the family name should be based on the replacing name (i.e. LESTRODRYINIDAE not ANTEONIDAE).

We respectfully wish to ask the Commission to decide whether under the Code and so far as the facts known and above stated indicate, the name of the family should be ANTEONIDAE or LESTRODRYINIDAE.⁴

Further, in view of the uncertainty as to whether *Bethylus hemipterus* is or is not a Dryinid (sense of authors) and as to whether BETHYLIDAE ought not really to be used in the sense of DRYINIDAE instead of in its customary sense, and of the needless confusion that will arise in the minds of all and in future literature if we must change all these long-established names, the undersigned respectfully petition you to invoke the plenary power conferred by the Monaco Congress, and to take action as follows :

- (1) suspend the rules in the case of *Psilus* Jurine, 1801, *Dryinus* Fabricius, 1804, *Dryinus* Latreille, 1805, *Bethylus* Latreille, 1802 ;
- (2) to permanently reject *Psilus* Jurine, 1801, type *Psilus cenoptera* (Panzer) Jurine, i.e. *Tiphia cenoptera* Panzer, and *Dryinus* Fabricius, 1804 ;
- (3) to validate :—
 - (a) *Bethylus* Latreille, 1802, establishing any known European species as for example *Bethylus cephalotes* Förster, as type, in lieu of the unidentified *B. hemipterus* ;
 - (b) *Dryinus* Latr., 1805, type *Dryinus formicarius* Latr. ;
- (4) to place on the *Official List of Generic Names* :—
 - (a) *Bethylus* Latreille, type *Bethylus cephalotes* Förster, for the genus of wasps commonly passing under that name ;
 - (b) *Dryinus* Latr., 1805, type *Dryinus formicarius* Latr., for the genus of wasps commonly passing under that name.

* Art. 5 of the Code says " The name of a family or subfamily is to be changed when the name of its type genus is changed " but it does not specify that the type genus itself is to be changed.⁴

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission :—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	M. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babyi
H. H. Ross *	G. Arnold	V. S. L. Pate

⁴ For the decision of the Commission on the principles to be observed in interpreting Article 4 of the International Code relating to the naming of families and subfamilies, see *Opinion* 141.

J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	E. Kruger †
W. M. Mann	P. Roth	W. Hellen †
R. Friese	E. Enslin	F. X. Williams †
H. von Ihering ‡	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balouf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. The International Committee found itself in general agreement with the object sought in the petition, except that it considered that, if the International Commission were to agree to use their plenary powers in this case, it would be preferable that the Commission should designate *Omalus fuscicornis* Jurine, 1807, as the type of *Bethylus* Latreille, [1802-1803], rather than *Bethylus cephalotes* Förster, the species tentatively suggested in the petition. After careful consideration the Committee decided to frame its recommendations to the International Commission on Zoological Nomenclature, first on the assumption that the Commission would agree to use their plenary powers to suppress the "Erlangen List" in which the name *Psilus* Jurine, 1801, was published, and second on the assumption that the Commission would not be able to see their way to deal with the problem in this radical fashion. If the first of these courses were taken by the International Commission, there would

be no need to suspend the rules for the purpose of eliminating the name *Psilus* Jurine, 1801, since that name would cease to be available nomenclatorially immediately the "Erlangen List" was suppressed. It would still be necessary, however, for the International Commission to use their plenary powers in order to achieve the object indicated in the petition. The International Committee accordingly recommended that, if the "Erlangen List" were not suppressed, the whole of the petition should be granted, except for the substitution of *Omalus fuscicornis* Jurine, 1807, for *Bethylus cephalotes* Förster as the species to be designated as the type of *Bethylus* Latreille, [1802-1803]; and that, if the "Erlangen List" were suppressed, the petition should be dealt with in the same way, except that in that case there would be no need to take any specific action as regards *Psilus* Jurine, 1801.

5. These and other resolutions adopted by the International Committee at its meeting held at Madrid were subsequently confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after

the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the names *Bethylus* Latreille, [1802-1803], and *Dryinus* Latreille, [1804], was one of the cases in question and was accordingly dealt with under the above procedure.

7. At their meeting held at Lisbon on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 13), the International Commission unanimously agreed to use the plenary powers conferred upon them by the Ninth International Congress of Zoology at Monaco in 1913, in order to suppress the "Erlangen List".⁵ When, therefore, at their meeting held on the afternoon of the same day (Lisbon Session, 3rd Meeting, Conclusion 2) the Commission came to consider the present case, they found that there was no need to make use of their plenary powers, so far as the name *Psilus* Jurine, 1801, was concerned, since that name had ceased to be available on the suppression of the "Erlangen List". The Commission proceeded therefore to consider this case in the light of the recommendations framed by the International Committee on Entomological Nomenclature in anticipation of the decision that the "Erlangen List" would be suppressed.

8. When the Commission turned to the examination of the details of this case, attention was drawn to the fact that since its submission to the Commission further information had become available regarding the dates of publication of the works in which two of the names cited in the petition were first published (see Griffin, 1935, in Richards, *Trans. R. ent. Soc. Lond.* **83** : 144) :—

- (a) The name *Dryinus* Latreille was published on page 176 of volume 25 (Tab.) of the *Nouvelle Dictionnaire d'Histoire naturelle*. This work had hitherto been treated as having been published in 1805. It had now been ascertained, however, that it was already published by March 1804;
- (b) The name *Dryinus* Fabricius was published on page 200 of that author's *Systema Piezatorum*, which, though dated "1804", was probably published in the early part of 1805 and was certainly not published until late in 1804. This name must therefore be dated [1804-1805].

⁵ See *Opinion* 135.

There is thus now no doubt that *Dryinus* Latreille is an older name than *Dryinus* Fabricius and not (as previously supposed) the reverse. In these circumstances there was no need to suspend the rules (as proposed in the petition) so far as concerns these two names.

9. After careful consideration, the Commission decided to approve the recommendation submitted in this case by the International Committee, subject only to the modification noted in paragraph 8 above. The Commission accordingly agreed (Lisbon Session, 3rd Meeting, Conclusion 2) ⁶ :—

- (a) to place on the *Official List of Generic Names* the undermentioned six nomenclatorially available names, with types as shown, each of which has been duly designated in accordance with the provisions of the International Code :—

Name of genus	Type of genus
..... (3) <i>Dryinus</i> Latreille, [March 1804], <i>Nouv. Dict. Hist. nat.</i> 24 (Tab.) : 176 <i>Dryinus formicarius</i> Latreille, [Sept. 1804–Sept. 1805], (<i>in</i> Sonnini's Buffon) <i>Hist. nat. gén. partic. Crust. Ins.</i> 13 : 228 (monotypical)

- (c) under " suspension of the rules " to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below :—

Name of genus	Type of genus
..... (28) <i>Bethylus</i> Latreille, [1802–1803], (<i>in</i> Sonnini's Buffon) <i>Hist. nat. gén. partic. Crust. Ins.</i> 3 : 315 <i>Omalus fuscicornis</i> Jurine, 1807, <i>Nouv. Méth. class. Hyménopt.</i> : 301

- (d) under " suspension of the rules " to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated ;
 (e) to render *Opinions* in the sense of (a) to (d) above.

10. The foregoing decisions were embodied in paragraphs 25 (*Dryinus* Latreille) and 27 (*Bethylus* Latreille) of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress

⁶ Only those portions of Conclusion 2 which relate to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* **1** : 27–30.

of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

11. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁷ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of the names specified in paragraph 9 above, no communication of any kind has been received by the International Commission objecting to the issue of an *Opinion* in the terms proposed.

12. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.
 Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

13. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above *Opinion* :—

Bolivar y Peltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution

⁷ See *Declaration* 5.

conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to certain of the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the name *Bethylus* Latreille dealt with in the present *Opinion* has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Three (*Opinion* 153) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fourteenth day of April, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

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Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above : and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Three Parts have so far been published : Part 1 (introductory, including an account of the functions and powers of the Commission and a summary of the work so far achieved); Part 2 (relating to the financial position of the Commission); Part 3 (containing the official records of the decisions taken by the Commission at their meeting at Lisbon in 1935).

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

Volume 1 will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-12 (containing *Declarations* 1-9 and *Opinions* 1-3) have now been published.

Volume 2 commences with *Declaration* 10 and *Opinion* 134. Parts 1-25 (containing *Declarations* 10-12 and *Opinions* 134-155) have so far been published. The titles of these *Opinions* are given on the wrappers to Parts 1 and 2 of the *Bulletin*. Other Parts will be published shortly.

**AN URGENT APPEAL FOR A FUND OF £1800 TO
ENABLE THE INTERNATIONAL COMMISSION TO
CONTINUE ITS WORK**

The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the "International Commission on Zoological Nomenclature" and crossed "Account payee. Coutts & Co."

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 24. Pp. 209-226.

OPINION 154

On the status of the names *Phaneroptera*
Serville, 1831, and *Tylopsis* Fieber, 1853 (Class
Insecta, Order Orthoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1944

Price five shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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* This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).

OPINION 154.

ON THE STATUS OF THE NAMES *PHANEROPTERA* SERVILLE, 1831, AND *TYLOPSIS* FIEBER, 1853 (CLASS INSECTA, ORDER ORTHOPTERA).

SUMMARY.—Under suspension of the rules *Gryllus falcata* Poda, 1761, is hereby designated as the type of *Phaneroptera* Serville, 1831. The name *Phaneroptera* Serville with the type indicated above, and the name *Tylopsis* Fieber, 1853, with type *Locusta liliifolia* Fabricius, 1793 (Class Insecta, Order Orthoptera), are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 598 and 599.

I.—THE STATEMENT OF THE CASE.

Both *Phaneroptera* Serville, 1831, and *Tylopsis* Fieber, 1853, were included in the long list of generic names drawn from many Phyla and Classes dealt with in the paper published in 1915 by Commissioner K. Apstein under the title "*Nomina conservanda. Unter Mitwirkung zahlreicher Spezialisten herausgegeben von Prof. C. Apstein, Berlin*" (*SitzBer. Ges. naturf. Fr. Berl.* 1915 (5) : 119–202). Commissioner Apstein proposed that these two names should be treated as "*nomina conservanda*" (i.e. that they should be placed on the *Official List*) and that "*falcata* F., 1793" should be declared to be the type of *Phaneroptera* Serville and that "*liliifolia* [sic], F., 1793" should be declared to be the type of *Tylopsis* Fieber.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. Commissioner Apstein communicated his list to the Commission in the course of 1915 and in December of that year the Secretary to the Commission suggested that the most satisfactory way of dealing with this proposal would be to refer the various portions of which it was made up to special advisory committees on the nomenclature of the groups concerned. This course was adopted but, as was inevitable, the reports from the committees were a long time in coming in. In 1922, the Commission agreed to render an *Opinion* (*Opinion* 74), in which they pointed out that they had no power to adopt *en bloc* the list submitted by Com-

*

missioner Apstein but indicated that they were prepared "to consider names separately upon presentation of reasonably complete evidence".

3. In 1923 (in a letter dated 4th May) Dr. A. N. Caudell of the United States National Museum, who (at the request of the International Commission) had been studying the generic names in the Orthoptera included in Commissioner Apstein's list, submitted the following proposal as regards *Phaneroptera* Serville:—

I herewith transmit for official decision by the International Commission the matter of genotype of the orthopterous genus *Phaneroptera* of Serville. This genus was established by Serville in 1831, *Ann. Sci. Nat.*, vol. xxii, p. 138, with two species originally included, *Locusta lilifolia* Fabricius and *Locusta curvicauda* DeGeer. No genotype was selected by the author, Serville, nor was such a selection made until 1906, when W. F. Kirby, *Syn. Cat. Orth.*, vol. ii, p. 434, selected the *Gryllus falcatus* of Poda¹ as the type of *Phaneroptera*. Deeming this selection of *falcatus*, a species the name of which was not mentioned in the original publication of *Phaneroptera*, as unwarranted, the present writer, *Journ. Wash. Acad. Sci.*, vol. xi, p. 487, 1921, selected the species *Locusta curvicauda* DeGeer as the genotype of *Phaneroptera*. My reasons are set forth in my article cited but I may repeat here that both included species, *lilifolia* and *curvicauda*, had been removed prior to the citing of any genotype for *Phaneroptera*, *lilifolia* having become the genotype of the monobasic genus *Tylopsis* Fieber, 1853, and *curvicauda* the genotype of *Scudderia* Stål, 1873, also a monobasic genus. By the rules of your Commission the removal of one of the two included species from *Phaneroptera*, through its selection as the type of another genus, limits the remaining species as the type of the old genus. Thus *curvicauda* became automatically the type of *Phaneroptera* when *lilifolia* was eliminated, thus my designation.

But there is dispute, some maintaining that *falcatus* Poda is the type of *Phaneroptera*, this view being based upon the fact that Serville, *Orthoptères*, p. 420, footnote, 1839, published the fact that he had misdetermined the species *Locusta lilifolia* of Fabricius, the species he had being really *Gryllus falcatus* Poda, credited however by him at this reference to Carpentier or Scopoli.

This matter seems to me to be one of a genus based on a misidentification and is really covered by *Opinion* 65 of your Commission, though the conditions show a shade of difference from those there discussed. But the arguments there considered and which lead up to the decision rendered, apply here with equal strength. Thus it would seem that the decision ought to be the same, that is that the type of a polybasic genus automatically selected, by the elimination of other eligibles by removal as genotypes of other genera² should stand regardless of misidentification. It would appear that to deny correction in one case and permit it in another might be considered absurd. And to permit correction in the case of the genotype of the bibasic, or polybasic, genus would create all the confusion that would arise by doing the same in the case of the

¹ This name was published by Poda as *Gryllus falcata*.

² *Opinion* 6, which is the only *Opinion* which deals with this type of case, is expressly limited to genera published prior to 1st January 1931 with only two originally included species, neither of which is designated as the type by the original author. That *Opinion* has no bearing upon genera originally published with three or more species.

monobasic genus. My remarks on page 153³ of the *Opinion* 65 bear directly on the point.

The references to literature bearing on this matter are as follows :

- 1831. Serville, *Ann. Sci. Nat.*, vol. xxii, p. 158.
(erects genus *Phaneroptera*)
- 1839. Serville, *Orthoptères*, p. 420, footnote.
(corrects determination of *lilifolia*)
- 1906. Kirby, *Syn. Cat. Orth.*, vol. ii, p. 434.
(cites *falcata* as genotype of *Phaneroptera*)
- 1921. Caudell, *Journ. Wash. Acad. Sci.*, vol. xi, p. 487.
(cites *curvicauda* as genotype of *Phaneroptera*)
- . Internat. Commission, *Opinion* No. 65, and discussion by various authors.

4. On receipt of Dr. Caudell's letter, Dr. C. W. Stiles, Secretary to the Commission, submitted this case to the Committee on Nomenclature of the Entomological Society of Washington, with a request that that body would furnish him with its opinion from the standpoint of entomology. In making this request, Dr. Stiles furnished the Committee with the following preliminary memorandum that he had prepared for communication to the International Commission :—

Preliminary memorandum prepared by Dr. C. W. Stiles, Secretary to the International Commission on Zoological Nomenclature.

Attention is invited to *Opinion* 65 which states that "The Commission is of the opinion that as a specimen is the type of a species, so a species is the type of a genus, and hence that when an author names a particular species as type of a new genus it is to be assumed that it has been correctly determined. If a case should present itself in which it appears that an author has based his genus upon certain definite specimens rather than upon a species it should be submitted to the Commission for consideration."

The premises presented to the Commission do not show that Serville, 1831, based his genus upon any particular specimens but rather upon two species, namely, *Phaneroptera lilifolia* (Fabricius) from the suburbs of Paris and *P. curvicauda* (DeGeer) from Pennsylvania. In 1839, p. 420, Serville recognised that *P. lilifolia*, from his point of view of 1831, was a composite species, namely *P. falcata* (syn. *lilifolia* of 1831 pars) and *P. lilifolia* (1793, restr.). The Secretary has been unable to trace *P. curvicauda* in 1839. Any restricted unit of the two original species is available as type.

According to the premises there are three restricted original units from the standpoint of Serville, 1839, namely *falcata*, *lilifolia* and *curvicauda*.

According to the premises also, Fieber, 1853, took *lilifolia sensu stricto* as type of *Tylopsis* and Stål, 1873, took *curvicauda* as type of *Scudderia*. In neither case was the original genus *Phaneroptera* rendered monotypic in the sense of *Opinion* 6, International Commission. Accordingly, so far as the premises have been presented to the Commission, Kirby, 1906, was at liberty to select any of the two original (1831), namely three restricted (1839), species as type. He accepted Serville's (1839) identification of *falcata* with *lilifolia* pars and definitely designated this unit as genotype. Accordingly, *lilifolia* pars of Serville from the

³ See *Smithson. misc. Coll.* 2256 : 153, published in March 1914.

suburbs of Paris (= a subjective synonym of *falcata* Poda, 1761) is the type of *Phaneroptera*, provided the premises are correct that this (1906) was the first definite designation of genotype.

5. In accordance with Dr. Stiles's request, this matter was duly considered by the Committee of the Entomological Society of Washington, whose conclusions were embodied in a document entitled *Opinion 5* of that Committee) bearing the date 25th October 1923 and signed by S. A. Rohwer (by whom it was stated to have been drafted), A. C. Baker, and Carl Heinrich. This document reads as follows:—

The type of *Phaneroptera* Serville

Summary.—From the evidence submitted it is evident that Serville in 1831 wrongly applied a Fabrician name to the first species he placed in the genus *Phaneroptera* and that his genus included two species only (*lilifolia* Serville =) *falcata* Scopoli and *curvicauda* DeGeer. *Falcata* Scopoli was therefore correctly selected as the genotype by Kirby in 1906. In our judgment *Opinion 65* has no bearing on this case.

Statement of case.—*Summary by this committee.*

Serville in 1831 described the genus *Phaneroptera* and included two species:

1. *Phaneroptera lilifolia* (Fabr.) = (*Locusta lilifolia* Fabr.). Environ de Paris.
2. *Phaneroptera curvicauda* (DeGeer) = (*Locusta curvicauda* DeGeer) Pennsylvania.

No mention is made of a genotype nor is there any statement which would lead one to assume that the identification of either of the species is incorrect. In 1839, however, Serville says, "It is an error on my part to have believed that the unique *Phaneroptera* inhabiting the vicinity of Paris was the *Locusta lilifolia* of Fabr." and he goes on to say that it was *Gryllus falcatus* instead.

In 1853 Fieber used *Locusta lilifolia* Fabr. (not the misidentification of the species of Serville of 1831) as the single species, hence the type, for his genus *Tylopsis*. In 1873 Stål used (and removed from the genus *Phaneroptera*) *Locusta curvicauda* DeGeer as the single species, hence the type for his genus *Scudderia*. In 1906 W. F. Kirby named *Gryllus falcatus* (= *Locusta lilifolia* Serville, 1831 (nec Fabr.) as pointed out by Serville (1839)) as the type of the genus *Phaneroptera* Serville. In 1921 Caudell (believing that Kirby's type citation of 1906 was incorrect) cited *Locusta curvicauda* DeGeer as the type of *Phaneroptera*.⁴

Discussion.—Inasmuch as Serville neither in 1831 nor 1839 designates any species as the genotype, *Opinion 65* cannot be said to cover this case. The first author to designate a genotype for the genus *Phaneroptera* was Kirby, in 1906, and at this time he had an opportunity to select either (*lilifolia* Serville (not Fabr.) =) *falcatus* Scopoli or *curvicauda* DeGeer. *Curvicauda* DeGeer had in 1873 been removed from the genus and Kirby wisely selected *falcatus* as the type of *Phaneroptera*. The inclusion of the name *falcatus* is based on Serville's correction, 1839, where he definitely states that the species he had referred to as *lilifolia*

⁴ At this point the Committee quoted in full (i) the original application to the International Commission by Dr. Caudell (see paragraph 3 above) and (ii) the preliminary memorandum prepared by Dr. Stiles (see paragraph 4 above).

in 1831 is *falcata* Scopoli. From Serville's correction in 1839 it is evident that he had only two species before him in 1831, and that insofar as the species which he called *lilifolia*, his conception of the genus was founded on specimens. These specimens came from the environs of Paris and represent the species *falcatus*.

We cannot agree with the second sentence of paragraph two of the above cited circular letter⁵ as we find no evidence that Serville in 1839 says his *lilifolia* of 1831 is a composite species. He only states his identification of *lilifolia* in 1831 was wrong. Nor can we agree with the third paragraph of circular 66⁵ in saying that according to the standpoint of Serville, 1839, there were three units, namely *falcata*, *lilifolia* and *curvicauda* in the genus. Serville does not admit *lilifolia* to be in the genus in 1839 and there is nothing to indicate that he was dealing with more than two species, *falcata* and *curvicauda*. To admit the composite species idea and to assume that in the composite you still have the true species is, it seems to us, opening the door to a variety of opinions. It is a well-recognized fact that as our knowledge in systematic work has advanced there has been a closer and closer definition of species and because of this many of the species of the old writers have been divided. Such a division of a species has not, however, been made in this case.

We presented this entire case again to Mr. Caudell for consideration and he submits the following additional data in a letter to Rohwer dated June 7, 1923 :

I can but deplore a decision permitting a third species, and one not mentioned among those originally included, being cited as the type of a bibasic genus while *Opinion 65* prohibits a second species being similarly cited as the type of a monobasic genus.⁶ It is illogical.

If the mere citing of a locality for included species of a genus, as in the case of *lilifolia* in the genus *Phaneroptera*, throws said genus without the range of *Opinion 65* of the International Commission and makes it a case referable to the Commission for separate decision, then I would call attention to the probability that scarcely one old genus out of ten will come under *Opinion 65*, the other ninety percent coming under the heading of those to be referred to the Commission for separate decision. It is doubtful if the Commission intended to consider the mere citing of localities as evidence that the genus was based on specimens rather than on species, thus making it necessary to render separate decisions on most older genera.

In the briefs on this matter undue stress is laid upon the statement of Serville in 1839, eight years after the establishment of the genus *Phaneroptera*, that an error of determination was concerned in the included species. The original citation is the pertinent one, and subsequent treatment by the author of a genus should carry no more weight, nomenclatorially, than if by any other person.

We therefore recommend that the Commission in reviewing this case accept Serville's statement in 1839 as correcting an error and accept the citation of *falcata* as the type of the genus, validated from Kirby's selection in 1906.

6. The documents quoted in paragraphs 3, 4, and 5 above were communicated to the members of the Commission by Dr.

⁵ The document here referred to is the preliminary memorandum by Dr. Stiles quoted in paragraph 4 above. In sending that document to the Committee, Dr. Stiles had made it clear that it was his intention to include it in a circular letter to the International Commission. At the time Dr. Stiles had provisionally assigned the number "66" to this circular. Actually, the number under which it was ultimately issued was 83.

⁶ *Opinion 65* was not intended to do more than lay down a presumption and establish a procedure for dealing with doubtful cases. For the subsequent elaboration of the question dealt with in *Opinion 65*, see *Official Record of Proceedings of the International Commission on Zoological Nomenclature, Lisbon Session, 1935* (Lisbon Session, 2nd Meeting, Conclusion 23) (1943, *Bull. zool. Nomencl.* 1:23-25) and *Opinion 168*.

Stiles in a circular letter (C.L. 83) dated May 1924. Dr. Stiles reminded the Commission that "cases of mistaken determination such as is before the Commission in *Phaneroptera* have given us no end of trouble in years past" and invited from the Commissioners "an expression of opinion in this case so that he [Dr. Stiles] may tabulate the views" before a final vote was taken.

7. In March 1925, Dr. Stiles reported to the Commission (in circular letter 96) the following views that had been expressed on this question by individual Commissioners in the light of the documents circulated for their consideration in circular letter 83:—

- (i) Apstein : "*falcata* Typus des Genus *Phaneroptera* ist."
- (ii) Handlirsch : "The type species is *falcata* Poda."
- (iii) Horváth : "The genotype of *Phaneroptera* Srv. is *Gryllus falcatus* Poda⁷ (= *Phaneroptera lilifolia* Serv. nec. Fabr.)."
- (iv) Jordan, K. : "The unanimous opinion of the British Entom. Committee on Nomenclature is this : a genus is based on species, not on names ; the genotype is a species, not a name.
 "*Phaneroptera* Serville, 1831, was based on two insects ; Kirby in 1906 was at liberty to select one of the two as genotype, there being no prior selection. He selected the species erroneously identified by Serville as *lilifolia* F. The correct name of this species is *falcata* Poda. Not the letters *falcata* are the genotype of *Phaneroptera*, but the insect to which this name is applied."
- (v) Kolbe : "Ich halte es für gut, die genotypen Species in folgender Weise zu verteilen.
 "1. *Phaneroptera* Serv., 1831, mit *falcata* Poda.
 "2. *Tylopsis* Fieb., 1853, mit *lilifolia* F.
 "3. *Scudderia* Stål, 1873, mit *curvicauda* De Geer."
- (vi) Monticelli : "The typical species of *Phaneroptera* is *falcata* Poda."
- (vii) Skinner : "The type should be *Gryllus falcatus* Poda."⁷
- (viii) Bather : "*curvicauda* De Geer became automatically the type of *Phaneroptera* when *lilifolia* was eliminated by Fieber, 1853, as type of *Tylopsis*.
 "Treating this question purely in its legal aspect, i.e. by the letter of the law, I hold that we must first inquire what was the position in 1831 and the seven succeeding years. Having been unable to look up the original literature, I take the premises of the circular letter, and find that a genus

⁷ For the correct form of this name as published by Poda, see footnote 1.

existed with two genosyntypes, *Locusta lilifolia* Fabricius and *L. curvicauda* De Geer. There was (as I understand) nothing to suggest any misidentification to the minds of contemporary readers; at any rate Serville himself did not suggest it. Therefore the genoholotype of *Phaneroptera* must be one of those two species. Serville in 1839 did not select a genotype, and what he then said may have elucidated his intention but could not alter the legal situation. We are bound in these cases not by what an author means to say or might have said, but by what he actually said. The next step was the removal of *Phaneroptera lilifolia* (Fabr.) as genotype of *Tylopsis* by Fieber in 1853, leaving *Phaneroptera curvicauda* (De Geer) as genoholotype of *Phaneroptera*. These facts remain unaffected by any subsequent action, but have as corollary that *Scudderia* Stål was *ab initio* a synonym of *Phaneroptera*, and that a new generic name was *ex hypothesi* required for *Gryllus falcatus* Poda⁷—and, for all I know, still is required.”

In the light of the foregoing preliminary expressions of opinion by Commissioners, Dr. Stiles then called upon the Commission to vote on the question of the type of the genus *Phaneroptera*.

8. By March 1927, eight (8) Commissioners (Apstein; Neveu-Lemaire; Handlirsch; Horváth; Jordan, D. S.; Jordan, K.; Monticelli; Stiles) had voted in favour of the issue of an *Opinion* declaring that *Gryllus falcatus* Poda, 1761, was the type of *Phaneroptera* Serville, 1831; two (2) Commissioners (Bather; Warren) had voted in favour of the issue of an *Opinion* declaring *Locusta curvicauda* De Geer, 1773, to be the type of that genus; and two (2) Commissioners had expressed themselves as undecided. At this time the Commission was beginning to consider the procedure to be adopted at their meeting due to be held at Budapest later in that year. In notifying to the Commission the foregoing particulars regarding the state of the voting in this case, Dr. Stiles suggested that “Commissioners Handlirsch and Neveu-Lemaire consider and report on this case at Budapest”.

9. At the first meeting of the Budapest Session held on 29th August, 1927, the Commission (Budapest Session, 1st Meeting, Conclusion 9) assigned various outstanding propositions to *ad hoc* committees for examination and report. Under this procedure, the case of *Phaneroptera* Serville was referred to a special committee consisting of Commissioner Karl Jordan (Conclusion 9(j)).

10. Commissioner Jordan came to the conclusion that the most satisfactory way of dealing with this case would be to refer it to the International Committee on Entomological Nomenclature for consideration and report. In 1929, the International Commission decided to invite the International Committee to consider also the whole of the proposals relating to the generic names contained in the list submitted by Commissioner Apstein in 1935 (paragraph 1 above), together with a report on some of the names in question that had been furnished to the Commission by Dr. A. N. Caudell and an additional list of names (including *Phaneroptera* Serville) submitted to the Commission by Commissioner A. Handlirsch in 1929. The International Committee on Entomological Nomenclature were unable to dispose of the considerable amount of preliminary work in time to permit of their formulating a report on the questions at issue at their meeting held in Paris during the Fifth International Congress of Entomology. It was necessary therefore for the Committee to adjourn the matter for final consideration at their meeting to be held at Madrid in 1935.

11. When the International Committee met at Madrid in the second week of September 1935, one of the first problems to which they addressed themselves was that of the type of the genus *Phaneroptera* Serville. After careful consideration, the International Committee came to the conclusion that it was desirable that *Gryllus falcata* Poda, 1761, the species which was generally recognised as the type of *Phaneroptera* Serville, should be categorically declared to be the type of that genus. The International Committee considered that the most satisfactory way of disposing of this case would be for the International Commission to make use of their plenary powers to declare under suspension of the rules that the type of *Phaneroptera* Serville was *Gryllus falcata* Poda, on the ground that the strict application of the rules in this case would clearly result in greater confusion than uniformity. The International Committee accordingly adopted a resolution in this sense for submission to the International Commission as their report in this case. At the same time, the Committee agreed to recommend the International Commission to add the name *Phaneroptera* Serville, so validated, to the *Official List of Generic Names*, together with the name *Tylopsis* Fieber, 1853 (type: *Locusta lilifolia* Fabricius, 1793).

12. These and other resolutions adopted by the International Committee on Entomological Nomenclature at its meeting held at Madrid were confirmed by the Sixth International Congress of

Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

13. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the genus *Phaneroptera* Serville was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

14. This case was considered by the International Commission at their meeting held on Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusions 19 and 20), when the Commission agreed:—

as regards the name *Phaneroptera* Serville (Conclusion 19)

- (a) to "suspend the rules" in the case of the generic name *Phaneroptera* Serville, 1831 (*Ann. Sci. nat.* 22: 158);
- (b) in virtue of (a) above, to validate the name *Phaneroptera* Serville, 1831, and to declare its type to be *Gryllus falcata* Poda, 1761, *Ins. Mus. graec.*: 52;

- (c) to place the generic name *Phaneroptera* Serville, 1831, validated as in (b) above and with the type there specified, on the *Official List of Generic Names*; and
 (d) to render an *Opinion* in the sense of (a) to (c) above.

as regards the name *Tylopsis* Fieber (Conclusion 20) ⁸

to render an *Opinion* placing on the *Official List of Generic Names* the under-mentioned twenty-two ⁹ nomenclatorially available generic names in the Orthoptera, with the types indicated, each of which has been duly designated in accordance with the provisions of the Code :—

Name of genus	Type of genus
(22) <i>Tylopsis</i> Fieber, 1853, <i>Lotos</i> 3: 172	<i>Locusta lilifolia</i> Fabricius, 1793, <i>Ent. syst.</i> 2: 36 (monotypical)

15. The foregoing decisions in regard to the name *Phaneroptera* Serville were embodied in paragraph 26 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology. The decision in regard to the name *Tylopsis* Fieber was embodied in paragraph 24 of the same report.

16. At the same meeting the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10) :—

that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements, and to take such other action, as might appear to them necessary or expedient :—

- (i) to establish the Secretariat of the Commission at its new headquarters;
- (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;
- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session;
- (iv) to obtain the finance required for the due functioning of the Commission; and generally
- (v) to secure the effective continuance of the work of the Commission.

17. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress

⁸ Only those portions of Conclusion 20 which relate to the present case are here quoted. For the full text of this Conclusion see 1943, *Bull. zool. Nomencl.* 1: 17-19.

⁹ The other twenty-one generic names here referred to have since been dealt with in *Opinion* 149.

of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on Saturday, 21st September 1935, the last day of the Congress.

18. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 13 above), the case of *Phaneroptera* Serville was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.¹⁰ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of *Phaneroptera* Serville, one communication only has been addressed to the Commission raising certain objections to the suspension of the rules in this case. This communication, which was dated 1st March 1937 and bore the signature of Dr. S. A. Rohwer, was addressed to the Commission in the name of the Committee on Nomenclature of the Entomological Society of Washington. The passage in that document relating to *Phaneroptera* Serville reads as follows:—

This generic name was originally published with two included species, *Locusta lilifolia* F. and *L. curvicauda* Degeer. The first type designation was by Kirby, 1906 (*Syn. Cat. Orthop.* 2: 434) who named *Gryllus falcatus* Poda¹¹ type as he considered Serville's *lilifolia* to be a misidentification for *falcatus*. It appears, however, that, at least in the absence of conclusive evidence that the author based his names upon certain definite specimens, the species originally included must be presumed to have been correctly identified. Kirby's designation of a species not originally included is therefore invalid; and *curvicauda* Degeer, definitely named type of *Phaneroptera* by Caudell, 1921 (*Jour. Wash. Acad. Sci.*, vol. 11: 487), must be considered type of the genus under the Rules. In the publication just cited Caudell properly suppressed *Scudderia* Stål, 1873, as a synonym of *Phaneroptera* since both have the same genotype, *Locusta curvicauda* Degeer. At the same time he proposed a new generic name *Anerota*, with *Gryllus falcatus* Poda¹¹ as type, for the group of species remaining in *Phaneroptera* without valid generic assignment. All this, which was done 15 years ago, is in accord with the International Rules. No change in super generic names is involved and no serious confusion has resulted from Caudell's action. There appears to be no sound reason, therefore, for setting aside the rules in this case and designation as type of *Phaneroptera* a species not originally included.¹²

¹⁰ See Declaration 5.

¹¹ For the correct form of this name as published by Poda, see footnote 1.

¹² For the text of the more detailed communication previously received from the same source containing a recommendation in the opposite sense, see paragraph 5 above.

19. Immediately upon its receipt by the Commission, copies of the document from which the above is an extract were communicated (April 1937) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the representations contained therein.

20. The representations in regard to the case of *Phaneroptera* Serville referred to in paragraphs 18 and 19 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held on 18th September 1935 (for the text of which see paragraph 16 above). The Conference (Plenary Conference, 1st Meeting, Conclusion 11):—

- (a) took note that within the twelve months following the advertisement of the action proposed, representations had been received from the Committee on Nomenclature of the Entomological Society of Washington in regard to the names *Locusta* Linnaeus¹³ and *Phaneroptera* Serville;
- (b) took note that, although a copy of the communication referred to above had been transmitted to each member of the Commission immediately upon its receipt, no member of the Commission had expressed himself as being in agreement with the representations contained therein;
- (c) agreed that the communication referred to in (a) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year;
- (d) agreed that, in view of (b) and (c) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decision set out in paragraph 26 of the report of their Lisbon Session in regard to the names *Locusta* Linnaeus and *Phaneroptera* Serville and therefore that *Opinions* should be issued as soon as possible in the sense indicated in the said paragraph of the Commission's report that had been approved and adopted by the Twelfth International Congress of Zoology at the Concilium Plenum held at Lisbon on 21st September 1935.

21. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

¹³ The case of *Locusta* Linnaeus has since been dealt with in *Opinion* 158.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

22. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to certain of the provisions of the present *Opinion*; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the name *Phaneroptera* Serville dealt with in the present *Opinion* has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its Meeting held in Monaco in March 1913, and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion* :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Com-

mission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Four (*Opinion* 154) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fifteenth day of April, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

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- (a) proposals on zoological nomenclature submitted to the Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above : and
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The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

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**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 25. Pp. 227-238.

OPINION 155

On the status of the names *Callimome* Spinola,
1811, *Misocampe* Latreille, 1818, and *Torymus*
Dalman, 1820 (Class Insecta, Order Hymeno-
ptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1944

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (United Kingdom).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

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Professor Teiso ESAKI (Japan).

Professor Béla von HANKÓ (Hungary).

Dr. Tadeusz JACZEWSKI (Poland).

(vacant).*

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Publications Office of the Commission :

41, Queen's Gate, London, S.W. 7.

Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.

* This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former *Secretary to the Commission* (1897-1935).

OPINION 155.

ON THE STATUS OF THE NAMES *CALLIMOME* SPINOLA, 1811, *MISOCAMPE* LATREILLE, 1818, AND *TORYMUS* DALMAN, 1820 (CLASS INSECTA, ORDER HYMENOPTERA).

SUMMARY.—Under suspension of the rules (i) the name *Callimome* Spinola, 1811 and (ii) the name *Misocampe* Latreille, 1818, are suppressed; (iii) all existing type designations for *Torymus* Dalman, 1820, are set aside; and (iv) *Ichneumon bedeguaris* Linnaeus, 1758, is hereby designated as the type of *Torymus* Dalman. The name *Torymus* Dalman, with the type indicated above (Class Insecta, Order Hymenoptera), is hereby added to the *Official List of Generic Names in Zoology* as Name No. 600.

I.—THE STATEMENT OF THE CASE.

Attention was first drawn by Professor James Chester Bradley in 1919 to the serious difficulties that would arise if the rules were strictly applied to a number of well-known generic names in the Order Hymenoptera. These difficulties led Professor Chester Bradley to consult the leading systematic workers in the Hymenoptera in all countries in regard to the action to be taken as regards the names in question. As the result of these consultations, the following petition signed by Professor Chester Bradley and 59 other Hymenopterists was submitted to the International Commission:—

The case of *Torymus* versus *Callimome*

Callimome Spinola, 1811, *Misocampus*¹ Latr., 1817,¹ and *Torymus* Dalman, 1820, each have as type the species *Ichneumon bedeguaris* L. *Callimome* was adopted by some writers, chiefly English and during the first half of the 19th century; *Misocampus*¹ was never adopted by

¹ There is no such name as *Misocampus*. The name here referred to is *Misocampe* which was published by Latreille (*Nouv. Dict. Hist. nat.* (ed. 2) 21: 213) in 1818 and not in 1817 as stated in the petition. It is clear that this was intended by Latreille as a latinised spelling and not as a French form of the name since, as pointed out by Dr. O. W. Richards (*in litt.*), Latreille on page 217 referred to what he called *Misocampe bedeguaris* and gave both names in italics. The reference to the name "*Misocampus* Latreille" in the present petition is presumably derived from Dalla Torre (1898, *Cat. Hymenopt.* 5: 297), who gave the reference "*Misocampus* Latreille, *Nouv. dict. hist. nat.* Ed. 2a. 1817 p. ?."

authors other than Latreille, and *Torymus* came into general use, becoming type of the family TORYMIDAE.

Gahan and Fagan (1914) called attention to the correct use of *Callimome*.

In order to obviate the confusion incident to change of a long-established family name, the undersigned wish to ask the Commission to determine whether in their judgment it would be appropriate to reject *Callimome* and *Misocampus*,¹ validating *Torymus*, and if so take the following action, to wit:

1. to suspend the rules in the cases of the genera *Callimome* Spinola, 1811, *Misocampus* ¹ Latr., 1817,¹ and *Torymus* Dalman, 1820;
2. to permanently reject *Callimome* Spinola, 1811, and *Misocampus* ¹ Latr., 1817¹;
3. to validate *Torymus* Dalman, type *Ichneumon bedeguaris* L.;
4. to place on the *Official List of Generic Names*, *Torymus* Dalman, 1820, type *Ichneumon bedeguaris* L., a common parasite of the mossy rose-gall wasp, for the genus of chalcid-wasps, ordinarily known by that name.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission:—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krause	L. Berland
A. B. Gahan *	H. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Baby
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	R. Kruger †
W. M. Mann	P. Roth	W. Hellen†
R. Friese	E. Enslin	F. X. Williams †
H. von Ihering †	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balouf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at

Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee agreed to recommend that the International Commission should deal with this case under their plenary powers in the manner indicated in the petition.

5. This and other resolutions adopted by the International Committee at its meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was dispatched to the prescribed journals

for publication. The case of the names *Callimome* Spinola, 1811, *Misocampe* Latreille, 1818, and *Torymus* Dalman, 1820, was among the cases in question and was accordingly dealt with under the above procedure.

7. The present case was considered by the International Commission at their meeting held on the afternoon of Monday, 16th September 1935 (Lisbon Session, 3rd Meeting, Conclusion 2); when the Commission agreed² :—

- (b) under " suspension of the rules " permanently to reject the following generic names :—

(14) *Callimome* Spinola, 1811, *Ann. Mus. Hist. nat. Paris* **17** (98) : 148
 (15) *Misocampe* Latreille, 1818, *Nouv. Dict. Hist. nat.* (ed. 2) **21** : 213

- (c) under " suspension of the rules " to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below :—

Name of genus	Type of genus
(31) <i>Torymus</i> Dalman, 1820, <i>K. Ichneumon bedeguaris</i> Linnaeus <i>Vet. Ac. Handl.</i> 1820 (1) : 125 & 135	1758, <i>Syst. Nat.</i> (ed. 10) : 567

- (d) under " suspension of the rules " to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated;
 (e) to render *Opinions* in the sense of (a) to (d) above.

8. The foregoing decisions were embodied in paragraph 27 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology.

9. At the same meeting the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10) :—

that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements, and to take such other action, as might appear to them necessary or expedient :—

- (i) to establish the Secretariat of the Commission at its new headquarters;
 (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;

² Only those portions of Conclusion 2 which relate to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* **1** : 27-30.

- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session;
- (iv) to obtain the finance required for the due functioning of the Commission; and generally
- (v) to secure the effective continuance of the work of the Commission.

10. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

11. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.³ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of the names dealt with in the present *Opinion*, one communication only has been addressed to the Commission raising objection to the suspension of the rules in this case. This communication, which was dated 1st March 1937, and bore the signature of Dr. S. A. Rohwer, was addressed to the Commission in the name of the Committee on Nomenclature of the Entomological Society of Washington. The passage in that document relating to the present case reads as follows:—

The case of *Torymus* Dalman, 1820

Callimome Spinola, 1811, and *Torymus* Dalman, 1820, are isogenotypic, *Ichneumon bedeguaris* L. being the type of both. Of the species listed in Dalla Torre's "Catalogus Hymenopterorum", 1900, more were originally described in *Callimome* than in *Torymus*, and of the references since that date many more employ the former than the latter of these names. The name *Callimome* and the accompanying family name CALLIMONIDAE [sic] are well established and accepted by workers in the group both in Europe and America. There is no sound reason whatever for suspension of the rules in this case and placement of *Torymus* on the *Official List of Generic Names*.

³ See *Declaration 5*.

12. Immediately upon its receipt by the Commission, copies of the document from which the above is an extract were communicated (April 1937) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the representations contained therein.

13. The representations set out in paragraph 11 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held at Lisbon on 18th September 1935 (for the text of which see paragraph 9 above). The Plenary Conference (Plenary Conference, 1st Meeting, Conclusion 9)⁴ :—

.....
 (b) examined the communications that had been received during the prescribed period in regard to the undermentioned names :—

.....
 (vi) *Torymus Dalman*, 1820
 from the Committee on Nomenclature of the Entomological Society of Washington;

-
 (c) took note that, although copies of the communications referred to in (b) above had been transmitted to each member of the Commission immediately upon their receipt, no member of the Commission had expressed himself as being in agreement with any of the representations contained therein;
- (d) agreed that the communications referred to in (b) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year;
- (e) agreed that, in view of (c) and (d) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decisions in this matter reached by the International Commission at their Lisbon Session (3rd Meeting, Conclusion 2) and therefore that *Opinions* should be issued as soon as possible in the sense indicated in paragraph 27 of the report submitted by them to the Twelfth International Congress of Zoology and approved and adopted by that Congress at the Concilium Plenum held at Lisbon on 21st September 1935.

⁴ Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, see 1943, *Bull. zool. Nomencl.* 1: 76-77.

14. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

15. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

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WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion*; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Five (*Opinion* 155) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fourth day of May, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
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1107.

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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 26. Pp. 239-250.

OPINION 156

Suspension of the rules for *Vanessa* Fabricius,
1807 (Class Insecta, Order Lepidoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1944

Price three shillings

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Publications Office of the Commission :

41, Queen's Gate, London, S.W. 7.

Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.



OPINION 156.

SUSPENSION OF THE RULES FOR *VANESSA* FABRICIUS, 1807 (CLASS INSECTA, ORDER LEPIDOPTERA).

SUMMARY.—Under suspension of the rules it is hereby declared that page precedence shall not be invoked to secure for *Cynthia* Fabricius 1807 (Class Insecta, Order Lepidoptera) over *Vanessa* Fabricius, 1807. *Vanessa* Fabricius, with type *Papilio atalanta* Linnaeus, 1758, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 601.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 23rd February 1934, in which the Council of the Royal Entomological Society of London drew attention to the conclusions reached by the Lepidoptera Sub-Committee¹ of the Society's Committee on Generic Nomenclature,² regarding the generic names of certain of the British Lepidoptera, in regard to which both the Lepidoptera Sub-Committee and the Committee on Generic Nomenclature were of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity. The Society enclosed a copy of the Report of the Lepidoptera Sub-Committee (published that day as Part 2 of the *Generic Names of British Insects*), to which was attached a paper by Commissioner Francis Hemming, in which was given a full statement in regard to each of the names in question. One of these names was *Vanessa* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281 (Class Insecta, Order Lepidoptera, Family NYMPHALIDAE).

2. The following is an extract from the paper referred to above of the passage relating to this genus :—

VANESSA Fabricius

Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281.

Latreille, 1810, *Consid. gén. Anim. Arach. Ins.* : 440.

TYPE (fixed by Latreille) = *Papilio atalanta* Linnaeus, 1758.

¹ This Sub-Committee was then composed as follows :—Mr. Francis Hemming (*Chairman*), Mr. N. D. Riley, and Mr. W. H. T. Tams.

² This Committee was then composed as follows :—Sir Guy Marshall (*Chairman*), Dr. K. G. Blair, Mr. Francis Hemming, Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Secretary*).

I have included among the synonyms of *Vanessa* Fabricius the name *Cynthia* Fabricius, which on a strict application of the International Code should take precedence of *Vanessa* Fabricius. Nomenclatorially, both *Vanessa* Fabricius and *Cynthia* Fabricius are valid names, but as their respective types (*Papilio atalanta* Linnaeus and *Papilio cardui* Linnaeus) are undoubtedly congeneric, one must sink as a synonym of the other. Both were described by Fabricius in the same paper and the descriptions of both were printed on the same page. The genera enumerated by Fabricius were numbered consecutively and *Cynthia* Fabricius was number 11, while *Vanessa* Fabricius was number 12. Thus on the principle of page priority, *Vanessa* Fabricius should fall to *Cynthia* Fabricius.

There are, however, very strong reasons against such an arrangement. The name *Vanessa* Fabricius, perhaps more than any other butterfly generic name, has throughout its history been applied to the same group of species. Further, these are some of the commonest and most widely known of all the palaeartic butterflies and include such species as the Painted Lady (*Papilio cardui* Linnaeus) and the Red Admiral (*Papilio atalanta* Linnaeus). There are very strong objections to upsetting so universal a usage unless on the other side very strong reasons can be adduced for doing so. Moreover, if one examines the history of the name *Cynthia* Fabricius, one finds that it has been used almost consistently for an entirely different group of butterflies belonging to an entirely different faunistic region, i.e. the Indo-Malayan region. One of these butterflies, *Papilio arsinoe* Cramer 1777, was the first of the six very miscellaneous species included by Fabricius in his genus *Cynthia*. The name *Cynthia* Fabricius came into general use for these species as a result of Doubleday's action in re-applying it to *arsinoe* Cramer in his *Genera of Diurnal Lepidoptera* and that species was actually specified as the type by Scudder (1875, *Proc. Amer. Acad. Arts Sci.* Boston 10 : 152). It was consistently used in that sense by all subsequent authors until Barnes and Lindsey (1922, *Ann. ent. Soc. Amer.* 15 : 92) quite correctly pointed out that under the International Code this use was wrong as the type of *Cynthia* Fabricius is *Papilio cardui* Linnaeus, 1758, that species having been specified as such in 1840 by Westwood (1840, *Introd. Class. Ins.* 2 Syn. : 87), the first author to specify a type for this genus.

The position is, therefore, that a strict application of the Code would :—

- (a) deprive *Papilio atalanta* Linnaeus and *Papilio cardui* Linnaeus of the generic name *Vanessa* Fabricius by which they have been almost universally known since 1807;
- (b) transfer those species to the genus *Cynthia* Fabricius, a name which has not only hardly ever been applied to them but has also been applied almost universally to an entirely different group of species (*Papilio arsinoe* Cramer and its allies).³

In my opinion the confusion that would result is too high a price to pay for the sake of applying the principle of page priority to two names first published on the same page of the same work.

3. The paper from which the foregoing passage is an extract concluded with the hope that the Lepidoptera Sub-Committee would join in reporting to the Committee on Generic Nomenclature of the Royal Entomological Society of London that it was highly desirable that in the exercise of their plenary powers the

³ The oldest available name for *Papilio arsinoe* Cramer and its allies is *Vindula* Hemming, 1934, *Entomologist* 67 : 77.

International Commission on Zoological Nomenclature should as soon as possible render an *Opinion* to the following effect:—

The principle of page priority shall not be invoked to secure precedence for *Cynthia* Fabricius, 1807 (*Mag. f. Insektenk.* (Illiger) 6 : 281 no. 11) over *Vanessa* Fabricius, 1807 (*ibid.* 6 : 281 no. 12). Consequently *Vanessa* Fabricius shall be deemed to be the older of the two names and is hereby added to the *Official List of Generic Names*.

These conclusions were concurred in by the Lepidoptera Sub-Committee by whom they were submitted to the Committee on Generic Nomenclature. The latter body endorsed the view of the Sub-Committee and recommended the Council of the Society to approach the International Commission in the sense indicated. It was in accordance with this recommendation that the Council addressed to the Commission the letter referred to in paragraph 1 above.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. Before the Commission had time to take any action on this case, they received a letter on the same subject (dated 17th May 1934) from Dr. J. Mc. Dunnough, Chief of the Division of Systematic Entomology, Entomological Branch, Department of Agriculture, Ottawa, from which the following is an extract:—

I am enclosing signed copies of a short note which is appearing in the current number of the "Canadian Entomologist." You will see by this that the *large majority* of active systematic Lepidopterists advocate the fixing of certain genotypes for the four genera mentioned in the note and I am sure also that the large proportion of continental entomologists are in favour of such procedure.

The following is an extract from the note referred to above:—

ON THE STABILIZING OF FOUR GENERIC NAMES

(Lepid. : Rhopalocera)

To students of the involved generic nomenclature of the Palaearctic and Nearctic Diurnal Lepidoptera, the recent publication of the "Generic Names of British Rhopalocera" will prove of great interest. This pamphlet has been prepared by Mr. Francis Hemming at the request of the Committee on Generic Nomenclature of the Royal Entomological Society of London, and includes full details regarding type fixation and synonymy. Appended to the list is the first report of the Lepidoptera Sub-Committee to the main committee, and following Mr. Hemming's suggestions, the suspension of the Law of Priority in four cases is advocated by this sub-committee, the ground being that strict application of the rules would cause serious, and quite unnecessary, disturbance in existing practice.

The genera involved, with their proposed genotypes, are as follows :

..... *Vanessa* Fabr. (*P. atalanta* Linn.) . . .

Welcoming any action that would assist in stabilizing generic Nomenclature, the undersigned lepidopterists express their full agreement with the recommendations of the above sub-committee and would urge the adoption of this report.

J. Mc. Dunnough, Entom. Br., Dept. of Agriculture, Ottawa, Canada.
May 15, 1934.

Jessie D. Gunder, 310 Linda Vista Ave., Pasadena, Calif. Apr. 13, 1934.

John A. Comstock, Los Angeles Museum, Exposition Park, Los Angeles,
Calif. Apr. 26, 1934.

Wm. T. M. Forbes,⁴ Dept. of Entomology, Cornell U., Ithaca, N.Y. Apr.
17, 1934.

Roswell C. Williams, Jr., Acad. Nat. Sciences, 19th & Race Sts., Phila-
delphia, Pa. Apr. 17, 1934.

E. Irving Huntington, 155 East 90th St., New York, N.Y. Apr. 21, 1934.

Cyril F. dos Passos, Washington Corners, Mendham, N.J. Apr. 23, 1934.

Frank E. Watson, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.

C. H. Curran, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.

Ernest Bell, 150-17 Roosevelt Ave., Flushing, N.Y. Apr. 24, 1934.

Alyach B. Klots, College of the City of New York, Dept. of Biology. Apr.
24, 1934.

5. As a first step the Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee agreed to recommend the International Commission on Zoological Nomenclature to take such action under their plenary powers as might be necessary to secure that the generic name for *Papilio atalanta* Linnaeus, 1758, should be *Vanessa* Fabricius, 1807. This, and other, recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of

⁴ Dr. Forbes added the following note :—I should be equally willing to accept *io* or *antiopa* as type of *Vanessa*, being more interested in fixity than in what is fixed, within reason.

some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the generic names *Vanessa* Fabricius and *Cynthia* Fabricius was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

7. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22), when the Commission agreed:—⁵

(a) to "suspend the rules" in the case of the following generic names:—

.....
 (iv) *Vanessa* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281

(e) to declare that page precedence shall not be invoked to secure precedence for *Cynthia* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281 (type: *Papilio cardui* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 475) over *Vanessa* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 281 (lower down on the same page as the name *Cynthia*) (type: *Papilio atalanta* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 478); and therefore that the name *Vanessa* Fabricius is valid;

.....

(i) to add the generic names . . . *Vanessa* Fabricius, 1807, . . . to the *Official List of Generic Names*, with the types indicated above;

.....

(l) to render *Opinions* in the sense of (a) to (l) above.

⁵ Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20-23.

8. The foregoing decisions were embodied in paragraph 28 of the report ⁶ which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

9. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

10. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

11. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission

⁶ See 1943, *Bull. zool. Nomencl.* 1 : 60-61.

in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion* ;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of

holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Six (*Opinion* 156) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fifth day of May, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 has been published in 1944 and Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-15 (containing *Declarations* 1-9 and *Opinions* 1-6) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-26, containing *Declarations* 10-12 and *Opinions* 134-156, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-4 (containing *Opinions* 182-185) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £773 13s. 7d. were received up to 30th June 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

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OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 27. Pp. 251-262.

OPINION 157

Three names in the Order Hymenoptera
(Class Insecta) added to the *Official List of
Generic Names in Zoology*

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 157.

THREE NAMES IN THE ORDER HYMENOPTERA (CLASS INSECTA) ADDED TO THE OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY.

SUMMARY.—The names *Cryptus* Fabricius, [1804–1805],¹ *Arge* Schrank, 1802, and *Diprion* Schrank, 1802 (Class Insecta, Order Hymenoptera), with the types specified in paragraph 7 of the present *Opinion*, are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 602 to 604.

I.—THE STATEMENT OF THE CASE.

Attention was first drawn by Professor James Chester Bradley in 1919 (*Trans. ent. Soc. Lond.* 1919 : 50–75) to certain serious difficulties in the Order Hymenoptera (Class Insecta) that would arise from the strict application of the rules as regards names first published in the so-called “Erlangen List.” These difficulties led Professor Chester Bradley to consult the leading systematic workers in the Hymenoptera in all countries on the course of action to be pursued. As the result of these consultations, the following petition signed by Professor Chester Bradley and 59 other hymenopterists was submitted to the International Commission :—

The conservation of *Cryptus* and *Pteronus*

Cryptus Jurine, 1801, Type *C. segmentaria* Panzer (see Bradley, 1919, p. 54) is a sawfly. But the name has been universally used in the sense of Fabr., 1804, for a genus of ichneumon wasps, typical of the universally recognised subfamily CRYPTINAE. *Cryptus segmentaria* Panzer is congeneric with *Tenthredo enodis* L., the genotype of *Arge*, today recognised as the type genus of a family of sawflies.

Pteronus Jurine, 1801, Type *Tenthredo pini* L. (see Morice and Durrant, 1915, p. 380 and Rohwer, 1911, p. 88 and 98) has been in common use until *Pteronidea* was proposed by Rohwer (*loc. cit.*) to replace it, for a genus of TENTHREDINIDAE of the subfamily NEMATINAE. But *Tenthredo pini* is type of *Diprion* Schrank, 1802, the type genus of the family called by Rohwer DIPRIONIDAE. This group has been universally known as LOPHYRIDAE or LOPHYRINAE, the genus *Lophyrus* Latr., 1802, having as its type

¹ Fabricius's *Systema Piezatorum* was probably not published until the beginning of 1805 and if published in 1804 must have been published at the very end of that year (see Griffin, 1935, in Richards, *Trans. R. ent. Soc. Lond.* 83 : 144). Names first published by Fabricius in this work should therefore be dated 1804–1805 and the date should be cited in square brackets.

also *Tenthredo pini* L., but since it was preoccupied in Mollusca by Poli in 1791, it has been recently replaced by *Diprion*.

The changes from the universal usage of more than a century necessitated by the above facts under the application of the Code are hereunder tabulated:—

Cryptus of authors becomes: *Itamoplex* Foerster (see Cushman, R. A., *Proc. Washington Academy of Sci.*, 1925, 15 : 289).

CRYPTINI of authors becomes: ITAMOPLEGINI*; MESOSTENINI according to Cushman.

CRYPTINAE of authors becomes: ITAMOPLEGINAE*; GELIDINAE according to Cushman.†

Arge Schrank and auctt. becomes: *Cryptus* Jurine nec auctt.

ARGINAE of Rohwer becomes: CRYPTINAE.

ARGIDAE of Rohwer becomes: CRYPTIDAE.

Pteronus of authors becomes: *Pteronidea* Rohwer.

Lophyrus Latr. and authors (nec Poli) } become: *Pteronus* Jurine

Diprion Schrank, a synonym of *Lophyrus* } nec auctt.

LOPHYRINAE auctt., DIPRIONINAE Rohwer, becomes PTERONINAE.

Since to follow the rules in these cases would involve great confusion, and would leave uncertainty in the future as to the sense in which these family names were used and would dissociate the future literature from the past to the utmost confusion of scholars, therefore the undersigned, hopeful of relief, respectfully petition the Commission to invoke the plenary power bestowed upon them by action of the Monaco Congress, and to take action as follows, to wit:

- (1) to suspend the rules in the case of the generic names *Cryptus*, *Arge* and *Pteronus*;
- (2) to permanently reject:
 - (a) *Cryptus* Jurine, 1801, and Panzer, 1804, type *C. segmentaria* Panzer;
 - (b) *Pteronus* Jurine, 1801, and Panzer, 1804, type *Tenthredo pini* L.;
- (3) to validate:
 - (a) *Arge* Schrank, 1802, type *Tenthredo enodis* L.;
 - (b) *Cryptus* Fabr., 1804, type *C. viduatorius* Fabr.;
 - (c) *Lophyrus* Latr., 1802, type *Tenthredo pini* (in spite of *Lophyrus* Poli, 1791, in Mollusca §) or *Diprion* || Schrank, 1802, type *Tenthredo pini*;
- (4) to place on the *Official List of Generic Names in Zoology*:
 - (a) *Cryptus* Fabricius, 1804, type *C. viduatorius* Fabr., as the correct name for a genus of ichneumon-wasps;
 - (b) *Arge* Schrank, 1802, type *Tenthredo enodis* L., as the correct name for a genus of sawflies;
 - (c) *Lophyrus* Latr., 1802, or *Diprion* Schrank, || 1802, type *Tenthredo pini*, as the valid name of a genus of sawflies.

* On the grounds that CRYPTINAE auctt. was based on *Cryptus* Fabr., a homonym of *Cryptus* Jurine, that its type genus must not be changed, but only the name thereof, and that if the name of the type genus changes to *Itamoplex*, or otherwise the subfamily will be based on the changed name.

† On the basis of *Gelis* being the oldest contained name although a name not hitherto used as type of a group name.

§ *Lophyrus* is no longer a recognised or a valid name in Mollusca.

|| *Diprion* only in case the Commission is unwilling to validate *Lophyrus*.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission :—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	M. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiý
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	P. Maidl	E. Kruger †
W. M. Mann	P. Roth	W. Hellen †
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H. von Ihering †	A. von Schulthess	O. Schmiedeknecht †
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H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balouf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration the Committee decided to frame its recommendations to the International Commission on Zoological Nomenclature, first on the assumption that the Commission would agree to use their plenary powers to suppress the "Erlangen List" in which the names *Cryptus* Jurine, 1801, and *Pteronius* Jurine, 1801, were published, and second on the assumption that the Commission would not be able to see their way to deal with the problem in

this radical fashion. The International Committee accordingly agreed upon the following recommendations :—

(a) if the " Erlangen List " was suppressed :

- (i) there would be no need for the International Commission to use their plenary powers to suppress the names, *Cryptus* Jurine, 1801, and *Pteronus* Jurine, 1801, since both those names would cease to be available nomenclatorially if the " Erlangen List " was suppressed;
- (ii) In the petition the date 1804 had been assigned to the names *Cryptus* Panzer and *Pteronus* Panzer; but the second of these names was certainly not published until 1805, while the date of the first was uncertain. In these circumstances no question of the suspension of the rules would arise for *Pteronus* Panzer and suspension would not be essential in the case of *Cryptus* Panzer.
- (iii) the name *Lophyrus* Latreille, [1802–1803],² (in Sonnini's Buffon) *Hist. nat. gén. partic. Crust. Ins.* 3 : 302, was to be preferred to *Diprion* Schrank, 1802, *Fauna boic.* 2 (2) : 209, for the genus of sawflies referred to in paragraph 4(c) of the summary to the petition, but no serious confusion would arise if the Commission felt reluctant to use their plenary powers to validate *Lophyrus* Latreille by suppressing the name *Lophyrus* Poli, 1791, *Test. Sicil.* 1 : 2, 4.³
- (iv) In the circumstances contemplated, it would therefore be sufficient if the International Commission were to add the names *Cryptus* Fabricius, [1804–1805], *Arge* Schrank, 1802, and *Diprion* Schrank, 1802, to the *Official List of Generic Names in Zoology*, with the types indicated in paragraph 4 of the summary to the petition;⁴

(b) if the " Erlangen List " was not suppressed :

- (i) In order to secure the desired result, it would be necessary for the International Commission to use their plenary powers to suppress the names *Cryptus* Jurine, 1801, and *Pteronus* Jurine, 1801, and, as the use of the plenary powers would in any case be necessary in order to deal with this case, the Commission might consider it convenient also to use those powers to suppress *Cryptus* Panzer, in order to eliminate the possibility of subsequent discussion in regard to the relative priority of that name and *Cryptus* Fabricius;
- (ii) Once the Commission had used their plenary powers in the foregoing sense, the position would be similar to that which would exist if the " Erlangen List " was suppressed, and in consequence the recommendations set out in (a) (iii) and (iv) above would apply.

5. The recommendations agreed upon by the International Committee on Entomological Nomenclature, as set out in paragraph 4 above, together with the other resolutions adopted by the

² This volume is dated " An X " in the French Republican calendar. It was, therefore, published between 23rd September 1801 and 22nd September 1802 (see Griffin, 1939, *J. Soc. Bibl. nat. Hist.* 1 (9) : 249).

³ The genus *Lophyrus* Poli, 1791, belongs to the Class and Order Polyplacophora.

⁴ For the text of the petition here referred to, see paragraph 1 of the present *Opinion*.

Committee during its meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

6. At their meeting held at Lisbon on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 13⁵), the International Commission unanimously agreed to use the plenary powers conferred upon them by the Ninth International Congress of Zoology at Monaco in 1913, in order to suppress the "Erlangen List." When, therefore, at their meeting held on the afternoon of the same day (Lisbon Session, 3rd Meeting, Conclusion 2⁶) the Commission came to consider the present case, they found that it was only necessary to take into account the recommendations of the International Committee on Entomological Nomenclature set out in section (a) of paragraph 4 above, since those in section (b) were no longer applicable.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

7. After careful consideration, the International Commission decided to adopt the recommendations submitted in this case by the International Committee on Entomological Nomenclature as summarised in section (a) (iv) of paragraph 4 above, and accordingly agreed (Lisbon Session, 3rd Meeting, Conclusion 2⁷) :—

- (a) to place on the *Official List of Generic Names in Zoology* the under-mentioned six nomenclatorially available generic names, with types as shown, each of which has been duly designated in accordance with the provisions of the International Code :—

Name of genus	Type of genus
(4) <i>Cryptus</i> Fabricius, [1804–1805], <i>Syst. Piezat.</i> : 70	<i>Cryptus viduatorius</i> Fabricius, [1804–1805], (same reference as generic name <i>Cryptus</i>) (type designated by Curtis, 1837, <i>Brit. Ent.</i> 14 : pl. 668)
(5) <i>Arge</i> Schrank, 1802, <i>Fauna boic.</i> 2 (2) : 209	<i>Tenthredo enodis</i> Linnaeus, 1767, <i>Syst. Nat.</i> (ed. 12) 1 (2) : 922 (type designated by Rohwer, 1911, <i>Tech. Ser. U.S. Bur. Ent.</i> 20 (2) : 74)

⁵ See 1943, *Bull. zool. Nomencl.* 1 : 13–14.

⁶ See 1943, *Bull. zool. Nomencl.* 1 : 27–30.

⁷ Only those portions of Conclusion 2 which refer to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* 1 : 27–30.

- (6) *Diprion* Schrank, 1802, *Tenthredo pini* Linnaeus, 1758,
Fauna boic. 2 (2) : 209 *Syst. Nat.* (ed. 10) 1 : 556
 (type designated by Rohwer, 1910,
Proc. U.S. nat. Mus. 39 : 103)

.....
 (e) to render *Opinions* in the sense of (a) to (d) above.

8. The foregoing decisions were embodied in paragraph 25 of the report ⁸ which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

9. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman ; Hemming ; Jordan ; Pellegrin ; Peters ; and Stejneger.

Alternates :—do Amaral *vice* Cabrera ; Ohshima *vice* Esaki ; Bradley *vice* Stone ; Beier *vice* Handlirsch ; Arndt *vice* Richter ; and Mortensen *vice* Apstein.

10. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was not present on that occasion indicated disagreement with the conclusions then reached by the Commission in this matter.

11. The following five (5) Commissioners who were neither present at the Lisbon Session of the International Commission nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain ; Chapman ; Fantham ; Silvestri ; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

⁸ See 1943, *Bull. zool. Nomencl.* 1 : 58-59.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT
OPINION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held in Lisbon in September 1935;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Seven (*Opinion* 157) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this tenth day of May, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above ; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944. Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-16 (containing *Declarations* 1-9 and *Opinions* 1-7) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-29, containing *Declarations* 10-12 and *Opinions* 134-159, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-4 (containing *Opinions* 182-185) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 28. Pp. 263-274.

OPINION 158

On the status of the name *Locusta* Linnaeus,
1758 (Class Insecta, Order Orthoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 158.

ON THE STATUS OF THE NAME *LOCUSTA* LINNAEUS, 1758 (CLASS INSECTA, ORDER ORTHOPTERA).

SUMMARY.—Under suspension of the rules it is hereby declared that the name *Locusta* Linnaeus (Class Insecta, Order Orthoptera) is to be accepted as of subgeneric value as from 1758 (*Syst. Nat.* (ed. 10) 1 : 431) and that its type is *Gryllus migratorius* Linnaeus, 1758. The name *Locusta* Linnaeus, validated as above and with the type indicated above, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 605.

I.—THE STATEMENT OF THE CASE.

The name *Locusta* was included in the long list of generic names drawn from many Phyla and Classes dealt with in the paper published in 1915 by Commissioner C. Apstein under the title "*Nomina conservanda. Unter Mitwirkung zahlreicher Spezialisten herausgegeben von Prof. C. Apstein, Berlin*" (*SitzBer. Ges. naturf. Fr. Berl.* 1915 (5) : 119–202). Commissioner Apstein proposed that all the names included in his list should be treated by the Commission as "*nomina conservanda*" (*i.e.* that they should be placed on the *Official List of Generic Names in Zoology*) with the types indicated in his list.

2. Commissioner Apstein in his list attributed the name *Locusta* (Class Insecta, Order Orthoptera) not to Linnaeus but to "Geer" as from 1773 and proposed that "*viridissima* L., 1758," *i.e.* *Gryllus viridissimus* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 430) should be declared to be the type of this genus.

II.—THE SUBSEQUENT HISTORY OF THIS CASE.

3. Commissioner Apstein communicated his list to the Commission in the course of 1915 and in December of that year the Secretary to the Commission suggested that the most satisfactory way of dealing with his proposal would be to refer the various portions of which it was made up to special advisory committees on the nomenclature of the groups concerned. This course was adopted but, as was inevitable, the reports from the Committees were a long time in coming in. In 1922, the Commission agreed

to render an *Opinion* (*Opinion* 74), in which they pointed out that they had no power to adopt *en bloc* the list submitted by Commissioner Apstein but indicated that they were prepared "to consider names separately upon presentation of reasonably complete evidence."

4. In 1929, Commissioner A. Handlirsch submitted to the Commission a further list of generic names in the Order Orthoptera which he recommended be added to the *Official List*. Commissioner Handlirsch's list contained a number of names already submitted to the Commission in Commissioner Apstein's list. Among these names was *Locusta*, which Commissioner Handlirsch, like Commissioner Apstein, attributed to De Geer, 1773, and for which he also proposed that "*viridissima* L., 1758" should be recognised as the type.

5. Later in 1929, the Commission invited the International Committee on Entomological Nomenclature to consider (a) the list of 52 names of genera of the Order Orthoptera submitted by Commissioner Apstein, (b) the report on certain of the names contained therein furnished at their request by Dr. A. N. Caudell of the United States National Museum,¹ and (c) the list of 28 names submitted by Commissioner Handlirsch, and to submit recommendations to the Commission in regard thereto.

6. This request involved a considerable amount of preliminary study by the International Committee, and it was accordingly not until their meeting at Madrid in the second week of September 1935 that the International Committee were able to draw up a resolution, for submission to the International Commission, in regard to the names in the Order Orthoptera on which they had been asked to advise.

7. When the International Committee came to examine the case of the name *Locusta*, they found that the situation had changed materially since the receipt of Commissioner Apstein's original proposal. The name *Locusta* was no longer commonly attributed to De Geer but was treated almost universally as having been published by Linnaeus in 1758 (*Syst. Nat.* (ed. 10) 1: 431), where it was introduced as one of six subdivisions (*Mantis*, *Acrida*, *Bulla*, *Acheta*, *Tettigonia*, *Locusta*) of the genus *Gryllus*. Further, as regards the type of *Locusta*, it was now recognised that, if *Locusta* was to be treated as having been published in the 10th edition of the *Systema Naturae*, its type

¹ The name *Locusta* was not one of the names dealt with in the report here referred to.

could not possibly be *Gryllus viridissimus* Linnaeus, 1758 (as proposed by Commissioners Apstein and Handlirsch), since on that occasion Linnaeus had placed *Gryllus viridissimus* in the subdivision which he called *Tettigonia* and not in the subdivision *Locusta*. Moreover, Dr. B. P. Uvarov, a member of the International Committee, had in 1921 (*Bull. ent. Res.* **12**: 135-163) published a revision of the genus *Locusta* in which he had pointed out that the first valid type designation for this genus was that of *Gryllus Locusta migratorius* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) **1**: 432) by Curtis in 1836 (*Brit. Ent.* **3**: 608). Since that date, that species had become generally accepted as the type of *Locusta*. In these circumstances, it seemed as though all that was required in this case was to recommend the International Commission to add the name *Locusta* Linnaeus, 1758, to the *Official List of Generic Names in Zoology*, with *Gryllus migratorius* Linnaeus, 1758, as type, that species having been validly so designated under the International Code.

8. At this stage in the consideration of this case, Commissioner Karl Jordan, Secretary to the International Committee, informed the Committee that at their meeting held at Padua on 30th August 1930, the International Commission on Zoological Nomenclature had decided in principle to render an *Opinion* declaring that the various subdivisions of genera published by Linnaeus in 1758 (in the *Syst. Nat.*) are not to be accepted as of that date (1758) as of subgeneric value under the rules. An *Opinion* in this sense had recently been formally adopted by the Commission and would shortly be published.² It would be found that in that *Opinion* the Commission had made it clear that, if any group of specialists were to find that because of the literature in their group, the decision laid down in this *Opinion* would produce greater confusion than uniformity, the Commission would be prepared to consider individual cases submitted to them by the specialists concerned.

9. After further discussion, the International Committee were unanimously of the opinion that to deprive the name *Locusta* of its status as a name published by Linnaeus in 1758 would be likely to produce greater confusion than uniformity and that for this reason it was desirable that the International Commission should be asked to exclude the name *Locusta* from the scope of the general *Opinion* shortly to be published.² The Committee

² The *Opinion* here referred to was published as *Opinion* 124 in 1936 (*Smithson. misc. Coll.* **73** (No. 8) : 1-2).

were greatly strengthened in this view by the evident need of doing everything possible to secure stability of nomenclature in the case of a genus such as *Locusta* which contained species of very great economic importance and which had in consequence been widely used in technical publications outside the field of systematic entomology.

10. The International Committee accordingly adopted a resolution inviting the International Commission on Zoological Nomenclature to make use of their plenary powers to suspend the rules, in order to ensure that the name *Locusta* should have status as from its publication in the 10th edition of Linnaeus's *Systema Naturae*, to declare *Gryllus migratorius* Linnaeus, 1758, to be the type of the genus *Locusta* Linnaeus so validated and to add the name *Locusta* Linnaeus, 1758, with the above species as type, to the *Official List of Generic Names in Zoology*.

11. This and other resolutions adopted by the International Committee on Entomological Nomenclature during its meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE COMMISSION.

12. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question

should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the genus *Locusta* Linnaeus was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

13. This case was considered by the International Commission at their meeting held on Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 18³), when the Commission agreed:—

- (a) to take note that the present was an application submitted by specialists under the invitation contained in the Resolution adopted by the International Commission at their meeting held at Padua on 30th August 1930, and reaffirmed in *Opinion* 124, for a name (*Locusta*) published by Linnaeus in 1758 (*Syst. Nat.* (ed. 10)) as a subdivision of a genus (*Gryllus* Linnaeus, 1758) to be accepted as of that date (1758) as of subgeneric value under the International Rules;
- (b) to "suspend the rules" in the case of the name *Locusta* Linnaeus and, under the said "suspension of the rules," to declare:—
 - (i) that the said name *Locusta* Linnaeus shall be accepted as of subgeneric value as from 1758 (*Syst. Nat.* (ed. 10) 1 : 431); and
 - (ii) that the type of *Locusta* Linnaeus, 1758, so validated, shall be *Gryllus migratorius* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 432);
- (c) to place the generic name *Locusta* Linnaeus, 1758, as validated in (b) above and with the type there specified, on the *Official List of Generic Names*;
- (d) to render an *Opinion* in the sense of (a) to (c) above.

14. The foregoing decisions were embodied in paragraph 26 of the report⁴ which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology.

15. At the same meeting the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10⁵) that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements, and to take such other action, as might appear to them necessary or expedient:—

- (i) to establish the Secretariat of the Commission at its new headquarters;

³ See 1943, *Bull. zool. Nomencl.* 1 : 16.

⁴ See 1943, *Bull. zool. Nomencl.* 1 : 59.

⁵ See 1943, *Bull. zool. Nomencl.* 1 : 48.

- (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;
- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session;
- (iv) to obtain the finance required for the due functioning of the Commission; and generally
- (v) to secure the effective continuance of the work of the Commission.

16. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on Saturday, 21st September 1935, the last day of the Congress.

17. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 12 above), the case of *Locusta* Linnaeus was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁶ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of *Locusta* Linnaeus, no communication has been addressed to the Commission raising objection to the solution proposed in regard to the name *Locusta* Linnaeus. One communication has, however, been received expressing the view that the suspension of the rules is not necessary to secure the desired end. This communication, which was dated 1st March 1937 and bore the signature of Dr. S. A. Rohwer, was addressed to the Commission in the name of the Committee on Nomenclature of the Entomological Society of Washington. The passage in that document relating to *Locusta* Linnaeus reads as follows:—

Locusta L. was proposed as a subdivision of *Gryllus*, with several included species—among them, *migratorius* L. (*Syst. Nat.* 10, p. 442⁷). The case has been briefly but ably reviewed by Uvarov, 1921 (*Bull. ent. Res.* 12 : 136),

⁶ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

⁷ The reference here given as "442" is a typist's error for "432".

who shows that Curtis, 1836 (*Brit. Ent.* 3 : 608) definitely named *migratorius* type of *Locusta*. As he points out this is in accord with Linnaeus' conception of his genus *Gryllus Locusta* as well as conforming with the International Rules.⁸ It appears that no action under suspension of the Rules⁸ is necessary in this case.

18. Immediately upon its receipt by the Commission, copies of the document from which the above is an extract were communicated (April 1937) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the views expressed therein.

19. The communication received in regard to the name *Locusta* Linnaeus quoted in paragraph 17 above was considered—together with certain representations similarly received in regard to the name *Phaneroptera* Serville⁹—at a Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held on 18th September 1935 (for the text of which see paragraph 15 above). The Conference (Plenary Conference, 1st Meeting, Conclusion II¹⁰):—

- (a) took note that within the twelve months following the advertisement of the action proposed, representations had been received from the Committee on Nomenclature of the Entomological Society of Washington in regard to the names *Locusta* Linnaeus and *Phaneroptera* Serville;
- (b) took note that, although a copy of the communication referred to above had been transmitted to each member of the Commission immediately upon its receipt, no member of the Commission had expressed himself as being in agreement with the representations contained therein;
- (c) agreed that the communication referred to in (a) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year;
- (d) agreed that, in view of (b) and (c) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decision set out in paragraph 26 of the report of the Lisbon Session in regard to the names *Locusta* Linnaeus and *Phaneroptera* Serville and therefore that *Opinions* should be issued as soon as possible in the sense

⁸ See, however, paragraphs 8 and 9 of the present *Opinion*.

⁹ For the decision of the Commission in regard to *Phaneroptera* Serville, see *Opinion* 154 (1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 209-226).

¹⁰ See 1943, *Bull. zool. Nomencl.* 1 : 79-80.

indicated in the said paragraph of the Commission's report that had been approved and adopted by the Twelfth International Congress of Zoology at the Concilium Plenum held at Lisbon on 21st September 1935.

20. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.
 Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

21. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

22. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION.*

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Eight (*Opinion* 158) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fifteenth day of May, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of:—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944 and Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely:—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-16 (containing *Declarations* 1-9 and *Opinions* 1-7) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-29, containing *Declarations* 10-12 and *Opinions* 134-159, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-4 (containing *Opinions* 182-185) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 29. Pp. 275-290.

OPINION 159

On the status of the names *Ephialtes* Schrank, 1802, *Ichneumon* Linnaeus, 1758, *Pimpla* Fabricius, [1804-1805], and *Ephialtes* Gravenhorst, 1829 (Class Insecta, Order Hymenoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price four shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 159.

ON THE STATUS OF THE NAMES *EPHIALTES* SCHRANK, 1802, *ICHNEUMON* LINNAEUS, 1758, *PIMPLA* FABRICIUS, [1804–1805],¹ AND *EPHIALTES* GRAVENHORST, 1829 (CLASS INSECTA, ORDER HYMENOPTERA).

SUMMARY.—Under suspension of the rules (i) the name *Ephialtes* Schrank, 1802, is suppressed; (ii) all existing type designations for *Ichneumon* Linnaeus, 1758, *Pimpla* Fabricius, [1804–1805],¹ and *Ephialtes* Gravenhorst, 1829, are set aside; (iii) *Ichneumon extensorius* Linnaeus, 1758, is hereby designated as the type of *Ichneumon* Linnaeus, 1758; (iv) *Ichneumon instigator* Fabricius, 1793, is hereby designated as the type of *Pimpla* Fabricius, [1804–1805]¹; (v) *Ichneumon manifestator* Linnaeus, 1758, is hereby designated as the type of *Ephialtes* Gravenhorst, 1829. The names *Ichneumon* Linnaeus, *Pimpla* Fabricius, and *Ephialtes* Gravenhorst (Class Insecta, Order Hymenoptera), with the types severally indicated above, are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 606 to 608.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Order Hymenoptera in all countries, the following petition signed by Professor Chester Bradley and 59 other hymenopterists was submitted to the International Commission:—

THE CASE OF *ICHNEUMON* LINNAEUS, *EPHIALTES* SCHRANK AND *PIMPLA* FABRICIUS

Ichneumon Linnaeus, type *Ichneumon manifestator* (see Viereck, 1914, p. 75; Morice and Durrant, 1915, p. 389) has been known for a century as the type genus of the enormous family ICHNEUMONIDAE and its subfamily ICHNEUMONINAE, under the assumption that *Ichneumon comitator* L. was its type or congeneric therewith. But the true type under the Code,

¹ Fabricius's *Systema Piezatorum* was probably not published until the beginning of 1805 and, if published in 1804, must have been published at the very end of that year (see Griffin, 1935, in Richards, *Trans. R. ent. Soc. Lond.* 83 : 144). Names first published in this work should therefore be dated 1804–1805 and the date should be cited in square brackets.

Ichneumon manifestator is the recognised type of *Ephialtes* Gravenhorst, 1829 (*nec* Schrank, 1802), a genus that belongs to the great subfamily universally known as PIMPLINAE, and Viereck and a few very recent writers have used the genus *Ichneumon* in this sense, and the term ICHNEUMONINAE to replace what has universally been called PIMPLINAE.

Pimpla Fabr., 1804,¹ p. 112, type *Ichneumon manifestator* L. (see Viereck, 1914, p. 117), the type genus of the subfamily PIMPLINAE, has been universally used in the sense that would imply *instigator* or a congener as its type, but the true type species, *manifestator*, is, as stated above, the type of *Ephialtes* Grav. and authors.

Ephialtes Schrank, 1802, type *Ichneumon compunctor* (see Cushman and Rohwer, *Proc. ent. Soc. Washington*, 1919, v. 20, p. 168) is probably identical with *Pimpla* in the sense of authors (*nec* Fabr.) or of *Pimplidea* Viereck (1914, p. 117), but that is not the sense in which the name has been employed. It has been so used essentially only by Cushman and Rohwer, other authors using *Ephialtes* in the Gravenhorstian sense.

Accordingly, under the rules, *Ichneumon*, *Pimpla* and *Ephialtes* Gravenhorst are identical synonyms, each having the same type, and all referring to the group commonly known as *Ephialtes* altho' for a century the names have been applied to distinct groups. *Ephialtes* Schrank, on the other hand the use of which has only been recently resurrected by Cushman and Rohwer, is identical with *Pimpla* in the commonly accepted Gravenhorstian sense.

These 3 groups, especially the 2 former, are large and important. There are approximately 1,000 described species of *Ichneumon* auctt., 340 of *Pimpla* auctt. in the broad sense, 80 of *Ephialtes* auctt. Many species of *Pimpla* are exceedingly abundant and well known to everyone who has bred caterpillars. *Ephialtes* are less common, but some because of their large size and conspicuous appearance are very well known insects.

There have been a considerable number of generic and subgeneric names formed by adding prefixes to the generic names *Ichneumon* and *Pimpla*, some with *Ephialtes*. Under the rules each of these will be dissociated from the genus under the name of which it is based.

From the facts above cited, it follows that under the Code the following upheavals must be made in the nomenclature of the family ICHNEUMONIDAE:—

Ephialtes of authors becomes *Ichneumon*;

Ichneumon of authors become *Amblyteles* Wesmael;

Tribe ICHNEUMONINI of authors becomes AMBLYTELEINI;

Subfamily ICHNEUMONINAE of authors (*nec* Viereck, Cushman, etc.) becomes JOPPINAE;

Pimpla of authors becomes *Ephialtes* Schrank *nec* auctt.;

PIMPLINI of authors becomes EPHIALTINI and ICHNEUMONINI;

(Cushman and Rohwer divide the tribe PIMPLINI of authors into 2 tribes which they call EPHIALTINI and ICHNEUMONINI. Under the old usage of the generic names these would be known as PIMPLINI and EPHIALTINI respectively.)

PIMPLINAE of authors becomes ICHNEUMONINAE Viereck, Cushman and Rohwer, etc. (*nec* auctt.).

Of the 83 species listed by Dalla Torre (1903, *Catalogus Hymenopterorum*²) as *Ephialtes*, 45 or more than 50 per cent., are under names used in both *Ephialtes* and *Ichneumon*. 32 of these names were first used in the genus *Ichneumon*.

Therefore, by the transfer of species from *Ephialtes* to *Ichneumon*, 32 homonyms must be replaced by new names—that is between one-third and one-half of the genus must be renamed.

² Dalla Torre, 1903, *Cat. Hymenopt.* 3: 469.

Seven other names, having been first used in *Ephialtes*, will on their transfer to *Ichneumon* invalidate specific names standing in that genus, but which are now transferable to *Amblyteles*.

Five species transferred to *Ichneumon* will bear names that differ only in termination from species already in that genus.

The Commission, under its plenary power, can avoid most of this confusion by setting aside the designation by Latreille, 1810, of *manifestator* L. as type of *Ichneumon*, and validating the designation by Curtis, 1839, of *comitator* as its type.

The result of this plan, if adopted, will be to save *Ichneumon* in its accepted (Gravenhorstian) sense for both generic and super-generic names, to restrict *Pimpla*, with type *manifestator* L. (designation by Curtis, 1828) for the group called by Gravenhorst and subsequent authors *Ephialtes*, and to leave *Ephialtes* Schrank, 1802, as the correct name for the group ordinarily known as *Pimpla*. *Pimpla* will be saved as type genus of the subfamily ordinarily known as PIMPLINAE, as well as for the tribe PIMPLINI in the sense of Ashmead, and for one of the two tribes into which that group is divided by Rohwer and Cushman.

Wherefore the undersigned respectfully request the International Commission on Nomenclature, acting under the plenary power bestowed upon them by the Monaco Congress, to grant relief from the intolerable situation which has arisen, as above set forth, by taking the following action, to wit :*

- (1) to suspend the rules in the case of the generic name *Ichneumon* ;
- (2) to set aside the designation by Latreille, 1810, of *Ichneumon manifestator* L. as type of *Ichneumon* L., 1758 ;
- (3) to validate the designation by Curtis, 1839, of *Ichneumon comitator* as type of *Ichneumon* L. ;
- (4) to place on the *Official List of Generic Names* :
Ichneumon L., 1758. type *I. comitator* L., as the valid name of a group of ichneumon wasps commonly called by that name.

* We wish however to point out that the Commission could, if it so desired, more completely restore the *status quo* of the past century by also rejecting *Ephialtes* Schrank, 1802, and the designations of *manifestator* and of *flavicans* as type of *Pimpla* ; by designation of the originally included *varicornis* Fabr. as type of *Pimpla* ; and finally by validation of *Ephialtes* Gravenhorst, despite the prior use of the name by the rejected *Ephialtes* Schrank.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission :—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns ‡
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	M. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiş
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	E. Kruger †
W. M. Mann	P. Roth	W. Hellen †
R. Friese	E. Enslin	F. X. Williams †

H. von Ihering ‡	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balouf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the Committee came to the conclusion that the most satisfactory settlement of this case would be for the International Commission on Zoological Nomenclature to suppress the name *Ephialtes* Schrank, 1802, under their plenary powers, and, under the same powers, to set aside all existing type designations for *Ichneumon* Linnaeus, 1758, *Pimpla* Fabricius, [1804-1805], and *Ephialtes* Gravenhorst, 1829, and to designate the following species as the types of those genera :—

Name of genus	Type of genus
<i>Ichneumon</i> Linnaeus, 1758	<i>Ichneumon extensorius</i> Linnaeus, 1758
<i>Pimpla</i> Fabricius, [1804-1805]	<i>Ichneumon instigator</i> Fabricius, 1793
<i>Ephialtes</i> Gravenhorst, 1829	<i>Ichneumon manifestator</i> Linnaeus, 1758.

5. The International Committee on Entomological Nomenclature accordingly agreed to recommend the International Commission on Zoological Nomenclature to exercise their plenary powers in the manner indicated above and to place the names *Ichneumon* Linnaeus, *Pimpla* Fabricius, and *Ephialtes* Gravenhorst, with the types so determined, on the *Official List of*

Generic Names. The International Committee agreed to add the further recommendation that, if the International Commission were to take the view that the course proposed was too drastic, it was desirable that this case should be dealt with in the more limited fashion suggested in the main recommendation at the end of the petition.

6. The recommendations agreed upon by the International Committee on Entomological Nomenclature, as set out in paragraphs 4 and 5 above, together with the other resolutions adopted by the Committee at its Madrid meeting, were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

7. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was dispatched to the prescribed journals for publication. The case of the names *Ephialtes*

Schrank, 1802, *Ichneumon* Linnaeus, 1758, *Pimpla* Fabricius, [1804-1805], and *Ephialtes* Gravenhorst, 1829, was among the cases in question and was accordingly dealt with under the above procedure.

8. The present case was considered by the International Commission at their meeting held on the afternoon of Monday, 16th September 1935. After careful consideration, the Commission came to the conclusion that the more radical of the proposals submitted by the International Committee on Entomological Nomenclature provided the most satisfactory solution of the difficulties presented by the present case. The Commission accordingly agreed (Lisbon Session, 3rd Meeting, Conclusion 2)³ :—

- (b) under "suspension of the rules" permanently to reject the following generic names :—

(10) *Ephialtes* Schrank, 1802, *Fauna boic.* 2 (2) : 316

- (c) under "suspension of the rules" to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below :—

Name of genus	Type of genus
(23) <i>Ichneumon</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 560	<i>Ichneumon extensorius</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 561
(24) <i>Pimpla</i> Fabricius, [1804-1805], <i>Syst. Piezat.</i> 112	<i>Ichneumon instigator</i> Fabricius, 1793, <i>Ent. syst.</i> 2 : 164
(25) <i>Ephialtes</i> Gravenhorst, 1829, <i>Ichneumon. Europ.</i> 1 : <i>Conspectus</i> 64; 3 : 224	<i>Ichneumon manifestator</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 563

- (d) under "suspension of the rules" to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated;
- (e) to render *Opinions* in the sense of (a) to (d) above.

9. The foregoing decisions were embodied in paragraph 27 of the report⁴ which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed

³ Only those portions of Conclusion 2 which relate to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* 1 : 27-30.

⁴ See 1943, *Bull. zool. Nomencl.* 1 : 59-60.

(Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology.

10. At the same meeting the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10⁵) that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements, and to take such other action, as might appear to them to be necessary or expedient :—

- (i) to establish the Secretariat of the Commission at its new headquarters;
- (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;
- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session;
- (iv) to obtain the finance required for the due functioning of the Commission; and generally
- (v) to secure the effective continuance of the work of the Commission.

11. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

12. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 7 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁶ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of the names dealt with in the present *Opinion*, one communication only has been addressed to the Commission raising objection to the suspension of the rules in this case. This com-

⁵ See 1943, *Bull. zool. Nomencl.* 1 : 48.

⁶ See *Declaration 5* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

munication, which was dated 1st March 1937, and bore the signature of Dr. S. A. Rohwer, was addressed to the Commission in the name of the Committee on Nomenclature of the Entomological Society of Washington. Attached to this document was a note of dissent by Dr. R. A. Cushman, who supported the suspension of the rules in this case.

13. The passage in the document received from the Committee on Nomenclature of the Entomological Society of Washington relating to the present case reads as follows:—

THE CASE OF *ICHNEUMON* L., 1758, *PIMPLA* F., 1804,⁷ AND *EPHIALTES* GRAV., 1829

Ichneumon L. has for its type *Ichneumon manifestator* L. (by designation of Latreille, 1810), which is also the type of *Pimpla* F., 1804.⁷ Neither of these generic names, however, was used in the sense of *I. manifestator* between the time of Gravenhorst's classification of the ICHNEUMONIDAE, 1829, and the publication of Viereck's "Type Species of the Genera of Ichneumon-flies", 1914. Instead, *manifestator* was considered as typical of the genus *Ephialtes* as interpreted by Gravenhorst, 1829; but this generic name had been published by Schrank, 1802, with a single, and therefore typical, species, *Ichneumon compunctor* L., a species belonging to *Pimpla* as defined by Gravenhorst. Even after these facts were made known, certain of the specialists in ICHNEUMONIDAE, particularly in Europe, have disregarded the proper type fixations of these genera and have continued to use the names in the Gravenhorstian sense. The active American workers, however, together with certain others, have employed the names as required by the Rules (see Cushman and Rohwer, "Holarctic Tribes of the Subfamily ICHNEUMONINAE", *Proc. U.S. Nat. Mus.* v. 57: 379-396; also Cushman, 1921, *Proc. U.S. Nat. Mus.* vol. 60, Art. 4, pp. 1-14; and Ceballos, 1924, on the Subfamily JOPPINAE, *Trab. Mus. Nac. cien. Nat. (Ser. Zool.)* No. 50: pp. 1-335). Furthermore, as a result of the large volume of identification work performed by the American taxonomists for numerous federal and state agencies in the United States and for institutions and individuals in various other parts of the world, the names involved here have been used in the sense required by the Code in a large body of literature on insect biology and applied entomology, in faunal lists (e.g., Leonard, "A List of the Insects of New York," 1928), in certain entomological text-books, (e.g. Essig, *Insects of Western North America*, 1926) and in the indices of American Economic Entomology by Colcord, 1921, 1925 and 1930.

Some confusion is inevitable from application of the Rules in such cases as these, especially since changes in subfamily names also are involved. Had earlier action in favor of retention of the Gravenhorstian concepts been requested of the Commission very little opposition would have developed. Now, however, that the names have been used in the proper sense for more than twenty years by some of the most active workers in the group, return to the long accepted Gravenhorstian usage would, in our opinion, result in greater confusion in the literature than would follow from conformity with the Rules. It would also fail to recognise, with

⁷ For the correct date of *Pimpla* Fabricius and other names first published in the *Systema Piezatorum*, see footnote 1.

corresponding appropriate credit, the advances made by recent workers in the use and interpretation of characters which have contributed much to the development of the classification of this group. In this respect it would place a premium on conservatism and compilation rather than on progress. We therefore urge that the request for specific action under suspension of the Rules, with respect to *Ichneumon* L., *Pimpla* F., and *Ephialtes* Grav., be denied. At the same time we recognise disagreement with this recommendation on the part of R. A. Cushman, a member of this Society and a prominent ichneumonologist, and, in fairness to him, we append a statement which he has prepared.

14. The note of dissent by Dr. Cushman referred to in paragraphs 12 and 13 above reads as follows:—

SHOULD THE GENERIC NAMES *ICHNEUMON* L., *PIMPLA* FAB., AND *EPHIALTES* GRAV. BE PLACED ON THE OFFICIAL LIST OF *NOMINA CONSERVANDA*?⁸

By R. A. Cushman

I am convinced that the science of Ichneumonology would be best served by the inclusion of *Ichneumon* L., *Pimpla* Fab. and *Ephialtes* Grav. in the *Official List of nomina conservanda*.⁸

In 1829 Gravenhorst published the first real classification of the family ICHNEUMONIDAE. This work is the basis for all subsequent classifications. The generic names employed by Gravenhorst are the very foundation stones of the nomenclature of the family, and the groups represented by those names the foundation stones of the classification. Most of those names furnish the stems of the names of supergeneric groups. With those names, modified by prefixes and suffixes, large numbers of generic and subgeneric groups have been named, the names being used in the Gravenhorstian sense.

From the publication of Gravenhorst's work for nearly a century these old generic names were employed unquestionably in the sense of Gravenhorst; and it was virtually not until after the publication in 1914 of Viereck's "Type Species of the Genera of Ichneumon-flies" that doubt as to their validity led to their use in other senses or caused the synonymizing of some with prior names, although several had been renamed because of pre-occupation.

With very few exceptions, mostly Americans, the specialists in the ICHNEUMONIDAE have ignored the International Code in so far as the use of these names is concerned, the basic nomenclature of the family being still, for a very large majority of the specialists, that of Gravenhorst. In the two largest and most comprehensive recent works on the family, Schmiedeknecht's "Opuscula Ichneumonologica" and those fascicles of "Genera Insectorum" dealing with certain of the subfamilies, the nomenclature is that of Gravenhorst. Uchida, in Japan, has recently produced a voluminous revision of the Japanese ICHNEUMONIDAE with the same interpretation of the genera; while Heinrich, in Poland, and Seyrig, in France and Madagascar, specializing, the one on the ICHNEUMONINAE and the other on the PIMPLINAE, employ these names in the same sense.

⁸ What is here referred to is the *Official List of Generic Names in Zoology*. Owing to its associations, the phrase *nomina conservanda* is not used by the International Commission in its work.

Apparently, Ceballos, in Spain, is the only specialist on the family in Europe who is disposed to follow genotype fixation in the use of these names, and he goes only part way.

The few American workers on the family who have, during the past 20 years, tried to follow the International Code in matters of nomenclature, have found conformity in relation to these generic names increasingly irksome.

Interpreting the names *Ichneumon*, *Pimpla* and *Ephialtes* strictly according to genotype fixation results in the transfer of *Ichneumon* from its historical position to another subfamily, necessitating changes in the names of two subfamilies and two tribes; *Pimpla* becomes synonymous with *Ichneumon*, the subfamily PIMPLINAE becomes ICHNEUMONINAE and the tribe PIMPLINI (sens. lat.) the ICHNEUMONINI; *Ephialtes* Grav. also becomes synonymous with *Ichneumon*; while *Ephialtes* Schrank replaces *Pimpla* in the sense of Gravenhorst, making necessary the tribal name EPHIALTINI instead of PIMPLINI in the most restricted sense. The old subfamily ICHNEUMONINAE and the tribe ICHNEUMONINI require new names, and here arises confusion due to the differences in opinion as to how these names should be formed; whether from the name replacing *Ichneumon*, from the next oldest generic name, or from some other generic name.⁹

Such names as *Coelichneumon*, *Stenichneumon*, *Ctenichneumon*, *Barichneumon* and many others are left in a group apart from the name from which they are derived, as are *Calliephialtes*, *Mesoepthialtes*, *Ephialtites*, and others; while the many names derived from *Pimpla* survive after the demise of the parent name.

The many hundreds of specific names used in combination with *Ichneumon*, *Pimpla* and *Ephialtes*, all of which, unless these names are given the benefit of the *nomina conservanda*,¹⁰ will have to go into combination with *Ichneumon*, will add greatly to the difficulty of cataloging and to the devising of new names, to say nothing of the probable necessity of renaming homonyms.

15. Immediately upon its receipt by the Commission, copies of the document from which the passages quoted in paragraphs 13 and 14 above have been extracted were communicated (April 1937) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the objections raised in the document quoted in paragraph 13.

16. The representations set out in paragraph 13 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held at Lisbon on 18th September 1935 (for the text of which see paragraph 10

⁹ The question here raised by Dr. Cushman has since been dealt with by the International Commission in *Opinion 141* (see 1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 2* : 55-66).

¹⁰ See footnote 8 above.

above). The Plenary Conference (Plenary Conference, 1st Meeting, Conclusion 9) ¹¹ :—

-
- (b) examined the communications that had been received during the prescribed period in regard to the undermentioned names :—
-
- (i) *Ichneumon* Linnaeus, 1758
 (ii) *Pimpla* Fabricius, [1804–1805]
 (iii) *Ephialtes* Gravenhorst, 1829
 from the Committee on Nomenclature of the Entomological Society of Washington
-
- (c) took note that, although copies of the communications referred to in (b) above had been transmitted to each member of the Commission immediately upon their receipt, no member of the Commission had expressed himself as being in agreement with any of the representations contained therein;
- (d) agreed that the communications referred to in (b) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year;
- (e) agreed that, in view of (c) and (d) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decisions in this matter reached by the International Commission at their Lisbon Session (3rd Meeting, Conclusion 2) and therefore that *Opinions* should be issued as soon as possible in the sense indicated in paragraph 27 of the report submitted by them to the Twelfth International Congress of Zoology and approved and adopted by that Congress at the Concilium Plenum held at Lisbon on 21st September 1935.

17. The present *Opinion* above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

18. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated dis-

¹¹ Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, see 1943, *Bull. zool. Nomencl.* 1 : 76–77.

agreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

19. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, Plenary Power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion*, as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Com-

mission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Fifty Nine (*Opinion* 159) of the said Commission.

In faith whereof, -I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this nineteenth day of May, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of:—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944. Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely:—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-16 (containing *Declarations* 1-9 and *Opinions* 1-7) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-29, containing *Declarations* 10-12 and *Opinions* 134-159, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-4 (containing *Opinions* 182-185) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

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OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 30. Pp. 291-306.

OPINION 160

On the status of the names *Anguina* Scopoli, 1777, *Anguillulina* Gervais van Beneden, 1859, and *Tylenchus* Bastian, 1865 (Class Nematoda)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price four shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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Ref.

OPINION 160.

ON THE STATUS OF THE NAMES *ANGUINA* SCOPOLI, 1777, *ANGUILLULINA* GERVAIS AND VAN BENEDEN, 1859, AND *TYLENCHUS* BASTIAN, 1865 (CLASS NEMATODA).

SUMMARY.—For so long as generic names published by authors using a binary, though not a binominal, system of nomenclature are recognised as complying with the requirements of Article 25 of the International Code,¹ the generic names published by Scopoli in 1777 in his *Introductio ad Historiam naturalem* are to be accepted as available nomenclatorially, but the position will need to be re-examined if later it is decided to reject generic names published by authors not applying the binominal system. No case has been established for the suspension of the rules for the purpose either of invalidating *Anguina* Scopoli, 1777, and validating *Anguillulina* Gervais and van Beneden, 1859, or of invalidating both *Anguina* Scopoli, 1777, and *Anguillulina* Gervais and van Beneden, 1859, and validating *Tylenchus* Bastian, 1865 (Class Nematoda).

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission in 1934 by Dr. B. G. Chitwood, Assistant Zoologist, Bureau of Animal Industry, United States Department of Agriculture, on behalf of himself and four other members of the staff of that Department. The following is the text of the document submitted by Dr. Chitwood:—

THE STATUS OF *ANGUINA* SCOPOLI, 1777, *ANGUILLULINA* GERVAIS AND VAN BENEDEN, 1859, AND *TYLENCHUS* BASTIAN, 1865

Premise: *Anguina* Scopoli, 1777 (*Introd. ad Hist. nat. sist. Genera Lapidum Plantarum et Animalium*, Prague, p. 374) is the proper generic name for *Vibrio tritici* Steinbuch, 1799 (*Der Naturforscher*, v. 28, p. 251).

Reasons: (1) Scopoli (*loc. cit.* p. 373) clearly stated that he was making a new genus, *Anguina*.

(2) Scopoli gave a recognizable description (*loc. cit.* p. 374) because (a) he gave host; (b) he gave location; (c) he gave an attempted description; (d) he referred to Linnaeus' "not. ad Chaos."

¹ See paragraph 16(d) of the present *Opinion*.

(3) Scopoli's reference to Linnaeus is identifiable without doubt to Linnaeus (1767, *Systema Naturae* (ed. 12) 1 (2), p. 1326, footnote ² reference "TRITICI"). Linnaeus in this footnote gave host, location, and an attempted description "ascaridiformem quasi vermiculum."

(4) Scopoli and Linnaeus undoubtedly referred to the same species. There is no doubt as to what that species is, for the species now known as *Tylenchus tritici* (= *Anguillulina tritici*) is the only species in the grains of wheat and it causes the formation of galls (rounded) instead of galls (oblong).

This species was first observed by Needham (1744, *Phil. Trans. Roy. Soc.* v. 42, pp. 634-641; and "An Account of some new microscopical Discoveries, Lond., pp. 85-89, pl. 5, figs. 6-7). Needham referred to them as "eels in blighted wheat" and indicated that the symptoms in wheat were well known; he also mentioned the peculiar revivability of the apparently dead forms when placed in water. This is one of the outstanding biological characters.

The next reference we find is Linnaeus (1767, *loc. cit.*), occurring as a footnote under *Chaos ustilago*. He did not name the form but rather considered it as an aberrant "ustilago." It is not identifiable as "ustilago" since the description of this species, "ustilago," was based on a fish-like oblong vermiculus from *Hordeum* (probably a protozoan or rotiferan).

Roffredi (1775, *Obs. Mem. Phys. Nat.* v. 5 (1) pp. 1-19) dealt with such a form, the wheat eelworm, but did not name it.

Needham (1775, *Jour. de Phys.* v. 5, p. 227) stated that he had given Baker a sample of diseased wheat in 1744, and in 1771 Baker informed him the "eels" still revived.

Roffredi (1776, *Nouv. Recherch. sur les Découv. microscop. etc. annot. par Needham* Pars 1, p. 25, Paris) took the view that the forms were moved by the penetration of fluid.

Steinbuch (1799, *Der Naturforscher*, v. 28, p. 256) calls the "Wurm" described by Roffredi *Vibrio tritici*. This was the first time a specific name had been applied.

Bauer (1823, *Phil. Trans. Roy. Soc.*, pp. 1-16, pl. 1, figs. 1-23, pl. 2, figs. 1-2) described the species under the name *Vibrio tritici*, not quoting an author but referring to Needham (1744, *loc. cit.*) and to Roffredi (1775, 1776, *loc. cit.*), as well as to a letter of Fontana (1776, *Journ. de Physique*, p. 43) in which that author is said to have considered the infected grains as "extraneous turnaris or gall nuts."

Dujardin (1845, *Hist. Nat. Helm. ou Vers Intest.*, Paris 239, 242-243) made *Vibrio* and *Anguillula* synonyms of *Rhabditis*. He called the wheat eelworm *Rhabditis tritici*, or in vernacular, "Rhabditis du blé niellé." As synonyms he listed:

Anguille du blé rachitique ou du faux ergot, Rozier, *Obs.*, 1775, 218.

Vibrio anguillula (γ) Müller, *Infus.* p. 63, pl. 9.

Vibrio agrostis Steinbuch, dans *Naturf.*, XXVIII, p. 233, pl. 5.

Vibrio tritici Bauer dans les *Transact.*, 1823, t. CXIII, p. 1, pl. 1-2 et dans les *Ann. Sc. nat.*, 1824, t. II, p. 154, pl. 7.

Ehrenberg (1828, *Die Infusionsthier als Vollkommene Organismen*, p. 82) first placed the species *tritici* Steinbuch in the genus *Anguillula*.

Diesing (1851, *Systema Helminthum*, Vindobonae, v. 2, p. 132) renamed the "wheat eelworm" *Anguillula graminearum*, listing as references the following:

² The following is the text of the footnote here referred to:—

TRITICI Grana abbreviata illa et rotundata, exsiccata etiam post annos, in aqua tepidiuscula intra horulam egerminant in ascaridiformem quasi vermiculum; animatum vix dixero.

- Needham : *Micr.* 99 Tab. V. 7
 Backer : *Micr. expl.* 80 Tab. V Fig. 1, 2
 Roffredi : in *Journ. de Phys.* 1775. 369
 Anguille vulgaire Rozier : *Obs.* 1775, Mars. 218 Tab. 1. 7 et 1778, Nov. 401
 Anguille du blé rachitique *l.c.* 1775, Janv. Tab. 1
 Anguille du faux ergot. *l.c.* 1776, Janv. 72 et Mars. 372. et 436
 Naturf. XIX. St. 40
Vibrio graminis Steinbuch : in *Naturf.* XXVIII. St. 233. Tab. V.—et *Ej. Analecten.* 97.—135. Tab. II. Fig. 1-6
 Spallanzani : *Micr.* 189, Fig. 12 (pessima). idem *Opusc. phys.* II. 354. Tab. V. 10
 Eichhorn : *Micr.* 72. Tab. VII. A
 Gleichen : *Micr.* 61. Tab. XXVIII. 6
 Spuhlwürmerälchen. Schrank : *Beitr.* 19
 Würtemb. *Wochenbl.* 1782. 354
Vibrio anguillula. *Anguillula fluviatilis* Müller : *Anim. Infus.* 65. Tab. IX. 5-8
Vibrio tritici Bauer : in *Philosoph. Trans.* 1823. I. 1-12. Tab. I et II. Versio in *Annal. des Sc. nat.*, prem. sér. II. 154-167 cum *Tabula.*—Bory : in *Encycl. méth.* 1824. 779.—Dugès : in *Annal. des Sc. nat. prem. sér.* IX. 225.—Henslow : in *Microscopical Journal*, 1841. 36.
Rhabditis tritici Dujardin : *Hist. nat. des Helminth.* 242.

Davaine (1857, *Recherches sur l'anguille du Blé Niellé*, etc. Paris) described the species and called it *Anguillula tritici*.

Gervais and Beneden (1859, *Zool. médicale*, v. 2. p. 102) made a genus *Anguillulina*, placing *tritici* in the genus. They also included *Anguillulina dipsaci* (Kühn, 1857).

Bastian (1865, *Trans. linn. Soc.* v. 25, 125-128) made a genus *Tylenchus*, in which he included *T. agrostidis* Bastian, 1865; *T. davainii* Bastian, 1865; *T. dipsaci* (Kühn, 1857) and *T. tritici* (Steinbuch, 1799).

Schneider (1866, *Monog. Nematoden*, p. 164-165) renamed the species *Anguillula scandens*.

Concerning the genera in which *tritici* has been placed, the following may be said :

- (1) *Chaos* Linnaeus, 1767, has as its type *Chaos protheus* Linnaeus, 1767 (= *Volvox chaos* Linnaeus, 1758, Protozoan).
- (2) *Vibrio* Müller, 1773, type uncertain. Stiles and Hassall, 1905,—preferably *V. lineola* or *V. bacillus* (Bacteria).
- (3) *Anguillula* Ehrenberg in Hemprich and Ehrenberg, 1828, has as its type *fluviatilis* (Müller, 1786). It was originally proposed for *V. fluviatilis* Müller, 1783, Ehrenberg, 1828; *V. inflexa* H. and E., 1828; *V. coluber* (M., 1786), H. and E., 1828; *V. recticauda* H. and E., 1828; and *V. dongalana* H. and E., 1828.

Anguillula Müller, 1773, is an error; Müller did not make a genus *Anguillula*. He made the species *Vibrio anguillula* Müller, 1773, which included *Chaos redivivum* Linnaeus, 1767, 1326. Later (1783, 161-163) he subdivided the species *anguillula* into varieties.

Müller (1786, *Animalcula Infusoria fluviatilia et marina*, etc.), on page 63, gives the species *Vibrio anguillula*. Under that species he listed : (a) *Anguillula aceti* (p. 63); (β) *Anguillula glutinis* (p. 64); (γ) *Anguillula fluviatilis* (p. 65); (δ) *Anguillula marina* (p. 66). Under *fluviatilis* he gave several references, including Needham (1745, *loc. cit.*) and others referring to the wheat eelworm, but the first reference is to his original description of *fluviatilis* which is not the wheat eelworm.

Gmelin (1790, 3900-3901) was erroneously quoted by Stiles and Hassall (1905, p. 35) as having credited Müller with making a genus *Anguillula*. Sherborn (1902, p. 1077) erroneously attributed *Anguillula* to Müller, 1786, by listing Müller's varieties as species of *Anguillula*. This is apparently the cause of the error by Stiles and Hassall, to whom a copy of Müller (1786) was not available.

Davaine designated *tritici* type of *Anguillula* Ehrenberg, and de Man designated *aceti* type of this genus. Stiles and Hassall (1905, pp. 36, 86) designated *A. fluviatilis* (Müller, 1783) (= *V. fluviatilis* Müller, 1783) as type of *Anguillula* Ehrenberg. This designation must stand on the grounds that it is the first designation of an originally included species.

Peters (1927, *J. Helminth.* v. 5, 141-142) on the basis of the above designation made a new genus *Turbatrix* for the vinegar eel (*T. aceti* (Müller, 1783)) on the grounds that *Anguillula fluviatilis* is unrecognizable. We agree with this action. Therefore, *Anguillula* is no longer available for any animal. If this were not so, it would not be available for *tritici* because *tritici* was not an included species and because *Anguina* has priority.

- (4) *Rhabditis* Dujardin, 1845, has as the type *R. terricola* Dujardin, 1845, (type designation by Stiles and Hassall). Type not congeneric with *tritici*.
 (5) *Anguillulina* Gervais and Beneden, 1859, has as its type *A. tritici* (Steinbuch, 1799), des. by Stiles and Hassall, 1905.
 (6) *Tylenchus* Bastian, 1865, has as its type *T. davainii* Bastian, 1865. See Stiles and Hassall, 1905. Type congeneric with *tritici*.

Thus we find three generic names available for the wheat eelworm namely, *Anguina* Scopoli, 1777, *Anguillulina* Gervais and Beneden, 1859, and *Tylenchus* Bastian, 1865.

Baylis and Daubney (1926, *Synop. Fam. and Gen. Nematoda*, p. 65) recognized *Anguillulina*, giving *Tylenchus* and *Anguina* as synonyms.

Goodey (*J. Helminth.* v. 10, p. 76) recognized *Anguillulina*, discarding both *Anguina* and *Tylenchus*, the former without stated reason, the latter as a synonym.

It appears to us that the action taken by Baylis and Daubney and by Goodey is illogical in view of the above data. On the grounds of priority the proper name should be *Anguina*. If priority is to be set aside *Tylenchus* should be recognized since this name is the best known and the most widely used. In our opinion *Anguillulina* has recently been injected into the literature on illogical grounds. At the present, the literature is in a state of flux. Either *Anguina* or *Tylenchus* should be recognized and put on the *Official List*. In our opinion *Tylenchus* would be preferable in that it would mean the return to a well established name. If *Tylenchus* is not retained, and some confusion is to prevail, then both *Anguillulina* and *Tylenchus* should be considered synonyms of *Anguina*.

We, the undersigned, hereby request the International Commission on Zoological Nomenclature, to set aside the rules of priority in this case, recognizing *Tylenchus*, and putting it on the *Official List*, on the grounds that enforcement of the rules would cause more confusion than would suspension of the rules.

G. Steiner,
 Senior Nematologist,
 Office of Nematology,
 Bureau of Plant Industry,
 U.S. Dept. of Agriculture

G. Thorne,
 Associate Nematologist,
 Bureau of Plant Industry,
 U.S. Dept. of Agriculture

M. C. Hall
 Chief, Zoological Division,
 Bureau of Animal Industry,
 U.S. Dept. of Agriculture

B. G. Chitwood,
 Assistant Zoologist,
 Bureau of Animal Industry,
 U.S. Dept. of Agriculture

J. R. Christie,
 Associate Nematologist,
 Bureau of Plant Industry,
 U.S. Dept. of Agriculture

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. Copies of the foregoing memorandum were communicated to members of the Commission by Commissioner C. W. Stiles, Secretary to the Commission, in January 1935. In a covering note Dr. Stiles informed the Commission that he was asking 15 specialists to furnish the Commission with their views on the proposal submitted. These specialists were resident in Sweden, England (3), Belgium, Denmark, U.S.S.R., Austria, Germany (3), Japan, Switzerland, Chile, and Holland.

3. In the same note Dr. Stiles made the following comment on

the passage in the present petition where it is stated that he (Dr. Stiles) and Hassall (1905) had erroneously quoted Gmelin (1790) as having credited Müller with making a genus *Anguillula* :—

The Secretary concurs with the statement that Müller, 1773, did not propose a new genus *Anguillula* but that he was dividing a species *anguillula* into varieties or subspecies. At the time (1905) Stiles and Hassall designated the type species of *Anguillula*, 1773, they based their decision on Gmelin, 1790, and Sherborn, 1902, since they could not obtain a copy of Müller, 1773. Quite recently the Secretary has been able to examine a photostat copy of Müller, 1773, and he concurs with the appellants that the premises accepted from literature by Stiles and Hassall were erroneous.

4. Eight of the specialists referred to in paragraph 2 above in due course furnished statements of their views for the consideration of the Commission. These are reproduced in the following paragraphs (paragraphs 5–14 below).

5. *Views of Dr. Carl Allgen (Jönköping, Sweden) :*

Dr. Allgen endorsed the request that the rules should be suspended and that *Tylenchus* Bastian should be placed on the *Official List*. He did not add any comments.

6. *Views of Dr. J. H. Schurmans Steekhoven (Zoological Laboratory, University of Utrecht, The Netherlands) :*

Having read your interesting manuscript I have the honour to tell you that I quite agree with the premises as set forth in this document and that I am in favour for the last sentence, whereby you [i.e. the petitioners] do request the International Commission on Zoological Nomenclature to set aside the rules of priority in this case, recognising *Tylenchus* and putting it on the *Official List*, on grounds that enforcement of the rules would cause more confusion than would suspension of the rules.

7. *Views of Dr. H. A. Baylis (British Museum (Natural History), London) :*

My answers to your questions are as follows :—

- (1) I do *not* agree with the premises as set forth in the document.
- (2) My reasons for this are : (a) that *Anguina* Scopoli, 1777, has no status, and (b) that *Anguillulina* has clear priority over *Tylenchus*.

The question of the validity of *Anguina* seems to depend on the question whether Scopoli, in this instance, “applied the principles of binary nomenclature” (Art. 25, condition (b)). I have carefully studied Scopoli, *loc. cit.*, and also the passage in Linnaeus’ 12th edition, p. 326, to which he seems to refer. It seems to me that it cannot be maintained that Scopoli here used a “binary” system even of classification, while his nomenclature is certainly not “binary,” his ultimate unit being the genus. Nor is it at all clear that Linnaeus intended to name the “vermiculum” referred to in his footnote. Apparently it is included in the species *Chaos ustilago*.³

³ Here followed a short discussion of the meaning to be applied to the term “binary nomenclature,” which has been omitted for the reason that, as explained in section (d) of paragraph 16 of the present *Opinion*, the decision embodied in this *Opinion* (in paragraph 17) was expressly taken by the Commission without prejudice to the meaning of that term. See also footnote 7.

(4) I see no reason for not accepting *Anguillulina*, which has clear priority over *Tylenchus*, and has, in consequence of its acceptance by Dr. Goodey, already begun to be accepted by those who work on plant pathology. I am definitely opposed to the principle of *nomina conservanda*, and do not consider there is a good case in favour of retaining *Tylenchus*.

8. Later Dr. Baylis wrote :—

I am unconvinced by Chitwood's statement (1935, *Proc. helm. Soc. Wash.* 2:53) that "the international rules . . . do not invalidate old genera which have been described without a specific name being mentioned." This statement does not seem to me to be in accordance with the intention of Article 25.

Incidentally, I might mention that the frequent quotation (as in the original memorandum of Steiner, Hall and others) of "Ehrenberg, 1828" as the author of *Anguillulina*, is incorrect. Sherborn has shown that although Ehrenberg's plates were published in 1828 (containing no mention of this name) the text was not published until 1831.

9. *Views of Dr. T. Goodey (St. Albans, England)* :

My answers to your points are :—

(1) I do not agree with the premises set forth in the document especially with regard to the alleged status and suggested validity of *Anguina* Scopoli, 1777.

(2) I have closely studied Scopoli, 1777, to determine whether he satisfies the Law of Priority, Art. 25 of the International Rules of Zoological Nomenclature and find that though it may be conceded that he satisfies condition (a) he entirely fails to satisfy condition (b) in that he did not apply the principles of "binary nomenclature." He merely put forward the generic name *Anguina* without an accompanying "nomen triviale" which is essential to satisfy "binary" principles.⁴ Since he failed to satisfy condition (b) I consider that *Anguina* has no status. I have also studied the passage in Linnaeus, 1767, and conclude that he did not propose a name for the "vermiculum." The footnote on p. 1326 is, in my view, merely a slightly expanded description of the material from deformed wheat grains which is included under the species *Chaos ustilago*.

(3) For reasons stated above, I do not admit that under priority *Anguina* is the correct name, and therefore, the second part of the question does not call for discussion.

(4) I am not in favour of a suspension of the rules which would involve the displacement of *Anguillulina* in favor of *Tylenchus* over which it has clear priority. I dissent from the view that "At present the literature is in a state of flux" for, in my opinion, the position with regard to these two names is now well established since the name *Anguillulina* has been adopted in much recent specialist and non-specialist literature dealing with plant-parasitic nematodes both in this country and on the continent of Europe. In the U.S.A. also and in Canada the name has been adopted in recent papers. It would, therefore, serve no useful purpose but would result in added confusion to revert to the use of the name *Tylenchus*.

10. Later Dr. Goodey notified the Secretary to the Commission that he favoured the suppression of the name *Anguina* Scopoli, 1777.

⁴ See, however, paragraph 16(e) of the present *Opinion*.

II. Views of Dr. Halmar Ditlevson (Zoological Museum, Copenhagen, Denmark) :

I thank you very much for your communication as to the priority of the names *Anguina*, *Anguillulina*, and *Tylenchus*.

My answer is the following :

(1) Yes, I agree with the premises set forth in your document.

(3) My opinion is that an application of the rules of priority in this respect would produce greater confusion than conformity.

(4) I vote for suspension of the rules in this case and I vote for the discarding of the name *Anguillulina* and the retaining of the name *Tylenchus* as this name will produce the lesser confusion.

12. Views of Dr. W. Schneider (Friedrichsfeld, Germany) :

Leider steht mir hier die Literatur vor 1866 (A. Schneider, Monogr.) nicht zur Verfügung, so dass ich mich zu den Fragen $\frac{1}{2}$ nicht selbständig äussern kann. Aber auch dann, wenn dem Genus nach den Prioritätsregeln der Name *Anguina* mit Recht zustände, würde ich dennoch vorschlagen, den Namen *Tylenchus* beizubehalten. Diese Bezeichnung ist in der neueren Literatur die allgemein gebräuchliche, und es würde nur zu weiterer Verwirrung beitragen, wenn sie aus Gründen der Priorität durch *Anguina* ersetzt würde.

Ebenso wenig vermag ich Peters zuzustimmen, wenn er für das Genus *Anguillula* den Namen *Turbatrix* einführen will. Auch in diesem Falle ist der bisherige Name allgemein üblich. Aus dem Vorgehen von Peters zu schliessen, dass die Frage der Umbenennung zur Zeit im Fluss sei, halte ich nicht für richtig.

Meine Meinung ist also, dass man *Anguina* und *Anguillulina* wegfällen lassen sollte, dass aber *Tylenchus* Bastian (Type *T. davainii* Ba.) und *Anguillula* Ehrenberg (Type *A. aceti*) beibehalten werden müssen.

13. Views of Dr. H. Goffart (Biolog. Reichsanstalt, Kitzberg b. Kiel, Germany) :

Ich bin grundsätzlich der Ansicht, dass das Gesetz der Priorität geachtet wird und halte es nicht für richtig, wenn von diesem Grundsatz abgewichen wird, auch dann nicht, wenn ein bestimmter Name—in diesem Falle *Tylenchus*—bekannter sein sollte als ein anderer. Die Frage, ob dem Namen *Anguina* die Priorität vor *Anguillulina* gebührt, muss ich strenggenommen verneinen, weil es sich bei *Anguina* um einen Namen handelt, der zwar dem 25 Absatz (a) der Internationalen Regeln entspricht, aber nicht der binären Nomenklatur folgt (Absatz (b)). Würde man in diesem Falle eine Ausnahme schaffen, und den Namen *Anguina* anerkennen, weil aus der von Scopoli gegebenen Beschreibung hervorgeht, dass ihm dieselbe Form vorgelegen hat, so würde man damit einen Präcedenzfall schaffen, auf den man sich bei anderen Nomenklaturfragen berufen kann. Aus diesem Grunde halte ich es nicht für richtig, wenn der Name *Anguillulina* abgeändert wird.

14. Views of Dr. I. N. Filipjev (Branch of the Academy of Sciences, Almata Krazekstau, U.S.S.R.) :

I think that the reasons submitted to the International Commission on Zoological Nomenclature for the inclusion of *Tylenchus* as the official name for this genus are sound enough if one considers the genus not divisible in further ones.

Such a division is attempted by me first on p. 32⁵ of my paper on "The Classification of the free-living Nematodes" of 1934, where a division in 8 genera is proposed (some species are referred to old genera) as follows:

.....
 (5) *Tylenchus* Bast. *T. davainii* type :

(8) *Anguillulina* G. & B., or *Anguina* Scop. type *tritici*.

The nomenclatorial problem would arise practically in regard only to the 8th genus where one of the two names is to be changed. On purely practical grounds *Anguina* would be preferable, because today *Anguillulina* and *Tylenchus* are treated invariably as being synonymous. *Anguina* would signify a use of the proposed generic division. *Tylenchus* s.str. cannot, it seems, be avoided. My opinion is, therefore, that the rules of nomenclature in this case should not be suspended and that *Anguina* should be fixed for *tritici*, *Anguillulina* falling into synonymy.

In the case of *Anguillula*, I come to a conclusion different from that of the authors of the present petition. Specific and subgeneric nomenclature is not always clearly separated in the papers of the XVIIIth century, including the works of Linnaeus himself. Müller quotes both *Vibrio anguillula* and *Anguillula aceti*. Both meanings of *Anguillula*—species with varieties or subgenus with species—are acceptable. The latter meaning has the advantage of being a binary naming and can therefore be accepted. It would secure the saving of an old—and prior to Bastian—universally used name, the rejection of which should be avoided if at all possible.

15. A Progress Report on various outstanding problems circulated by Dr. Stiles to the Members of the Commission in June 1935 for use at the Session due to be held at Lisbon in September of that year contained the following extract from a letter from Commissioner Karl Jordan :—

As shown by his previous publications, Scopoli was a binary and binomial author. In his *Introductio ad Historiam naturalem*, wherein *Anguina* appears as a new generic name, Scopoli gives a classification of Minerals, Plants and Animals down to genera, as stated on the title-page. There was no need for him to mention species, though he did so in many instances.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

16. This case was considered by the International Commission at Lisbon at their meeting held on Tuesday, 17th September 1935. In the course of the discussion of the problems involved attention was drawn to the following considerations :—

- (a) There was complete lack of unanimity among the specialists who had advised on this case :—
- (i) Some accepted *Anguina* Scopoli, 1777, as available nomenclatorially; others considered that it was not available, since, in their opinion, it had been published in a work, the author

⁵ Filipjev, 1934, *Smithson. misc. Coll.* **89** (No. 6) : 1-63, 8 pls.

of which had not applied the principles of binary nomenclature within the meaning of Article 25 of the International Code.

- (ii) Of those that accepted *Anguina* Scopoli as a available nomenclatorially, some favoured its suppression by the Commission under their plenary powers; others considered that it should be definitely brought into use for *Vibrio tritici*.
 - (iii) Among those who either rejected *Anguina* Scopoli or recommended that it should be suppressed, there was disagreement as to the name which should take its place. Some favoured *Anguillulina* Gervais and Beneden, 1859; others considered that that name should be suppressed in order to validate *Tylenchus* Bastian, 1865.
- (b) The plenary powers granted to the International Commission by the Ninth International Congress of Zoology at Monaco in 1913 were only exercisable in cases where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. The International Congress, in granting these powers, had deliberately so defined them as to exclude their use in cases where no more than inconvenience would result from the strict application of the rules.
 - (c) The powers granted to the Commission to suspend the rules could therefore only be used where the Commission were satisfied that certain conditions were fulfilled. The evidence brought forward in the present case did not satisfy those conditions; there was, therefore, no case for the suspension of the rules for the purpose either of invalidating *Anguina* Scopoli and validating *Anguillulina* Gervais and Beneden, 1859, or of invalidating both *Anguina* Scopoli and *Anguillulina* Gervais and Beneden and validating *Tylenchus* Bastian.
 - (d) The status of the name *Anguina* Scopoli depended on the question whether in the work in which that name had been published Scopoli had applied the principles of "binary nomenclature." The answer to that question in turn depended on the meaning to be applied to that term. This latter was a general question that was at present under consideration by the Permanent Committee of the International Zoological Congresses in connection with the procedure to be adopted in regard to the resolution on this subject that had been voted upon by the Eleventh International Congress of Zoology at Padua in 1930. It would clearly be improper for the International Commission to prejudge whatever decision might ultimately be reached on this matter; in consequence the Commission had in the meanwhile no option but to interpret that term in the sense that had been approved by previous meetings of the International Congress and had therefore been recognised as the correct interpretation prior to the question being raised at the Padua meeting of the Congress. For the present therefore at least, the Commission were bound by the interpretation given in *Opinion 20* and later *Opinions* dealing with the same subject. Pending a final decision on this subject, the position was that generic names published by authors who adopted a system of nomenclature, which, though "binary" in the sense that Gronovius, 1763, was "binary" (*Opinion 20*) was not a binominal system of nomenclature must be regarded as satisfying the requirements of Article 25 of the International Code.
 - (e) If at some later date it were decided to redefine the term "binary nomenclature" in the sense proposed at Padua, i.e. to secure that that term was identical in meaning with the term "binominal nomenclature," it would be necessary to re-examine Scopoli's *Introductio ad Historiam naturalem* to ascertain whether it fell within the revised definition or whether it was excluded thereby. It was

argued by some of the specialists who had expressed views on the present case that the narrower interpretation of the term "binary nomenclature" would render this work of Scopoli's unavailable for nomenclatorial purposes; but this proposition had not been clearly established. Scopoli, for whom Linnaeus had had a high regard, had published in 1763 a work, the *Entomologia carniolica*, which was undoubtedly the work of an author who accepted the binominal system of nomenclature. In order therefore to reject the *Introductio ad Historiam naturalem*, it would be necessary to prove that between 1763 and 1777 Scopoli had ceased to accept the binominal system of nomenclature; it would not be sufficient for this purpose to show that in that work or in parts of it he had not given particulars below the level of genera. Moreover, in some parts of the *Introductio* Scopoli had without doubt employed a strictly binominal system of nomenclature (e.g. in the portion relating to the Lepidoptera Rhopalocera).

17. At the conclusion of the discussion summarised in the preceding paragraph, the Commission agreed (Lisbon Session, 4th Meeting, Conclusion II⁶):—

- (a) that, for so long as generic names published by authors using a binary, though not a binominal, system of nomenclature were recognised as complying with the requirements of Article 25 of the International Code,⁷ the generic names published by Scopoli in 1777 in his *Introductio ad Historiam naturalem* should be accepted as available nomenclatorially, but that the position should be re-examined if later it were decided to reject generic names published by authors not applying the binominal system;
- (b) that no case had been established for the "suspension of the rules" for the purpose of:—
 - (i) invalidating either *Anguina* Scopoli, 1777, or that name and *Anguillulina* Gervais and Beneden, 1859, and
 - (ii) validating *Anguillulina* Gervais and Beneden or *Tylenchus Bastian*, 1865, as the case might be;
- (c) to render an *Opinion* in the sense of (a) and (b) above.

⁶ See 1943, *Bull. zool. Nomencl.* 1: 37-38.

⁷ At the time that this decision was taken by the Commission, the action to be taken in regard to the meaning to be attached to the term "binary nomenclature," on which a resolution had been voted upon at the Eleventh International Congress of Zoology at Padua in 1930, was still under consideration by the Permanent Committee of the International Zoological Congresses. As stated in paragraph 14 of the Report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon (for the text of which see *Bull. zool. Nomencl.* 1: 55), the Permanent Committee finally decided to refer the question dealt with in the resolution referred to above to the Chairman of the Section on Nomenclature of the (Lisbon) Congress. The Chairman of that Section, in turn, submitted it to the Commission for deliberation and report. This invitation was accepted by the Commission (Lisbon Session, 5th Meeting, Conclusion 3(b)) (for the text of which see *Bull. zool. Nomencl.* 1: 45). In accordance with that decision, a report on this subject will therefore be submitted by the Commission to the International Congress of Zoology at its next meeting. At the present time, therefore, the question of the meaning of the expression "binary nomenclature" ("nomenclature binaire") is *sub judice*.

18. At their meeting held at Lisbon on the morning of Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon meetings of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a) (iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in their report.

19. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It

is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the Commission as set out in paragraph 18 above.

20. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman'; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

21. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

22. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held in Lisbon in September 1935;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty (*Opinion* 160) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twentieth day of May, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944. Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-30, containing *Declarations* 10-12 and *Opinions* 134-160, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-5 (containing *Opinions* 182-186) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

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OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 30 A. Pp. (1)-(44).

(TP-[II]-III-XVI of Section A of volume 2 also
published with this Part)

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(Also published with this Part: Title Page to Section A, Foreword, Table of Contents and Introductory Note)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price eight shillings and twopence

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SUPPLEMENTARY NOTES ON *OPINIONS* 137, 148, AND 149

Opinion 137 (pp. 21-28)

Addition to the Official List of Generic Names in Zoology of Morpho Fabricius, 1807, Helicopsis Fabricius, 1807, and Pontia Fabricius, 1807 (Class Insecta, Order Lepidoptera)

The object of the petition dealt with by the International Commission on Zoological Nomenclature in *Opinion 137* was to obtain a definitive ruling on the question of which of pairs of names of almost exactly equal date were the oldest available (and, there, the valid) names for three genera in the Order Lepidoptera (Class Insecta). The pairs of names in question were:—

(1) *Morpho* Fabricius, 1807, and *Potamis* Hübner, [1807]

Of the above genera, *Morpho* Fabricius, 1807, has, as its type, *Papilio achilles* Linnaeus, 1758 (that species having been so selected by Westwood, [1851], in *Double-day, Gen. diurn. Lep.* (2) : 341), and *Potamis* Hübner, [1807] has, as its type, *Potamis leonte* Hübner, [1807], by monotypy.

(2) *Helicopsis* Fabricius, 1807, and *Rusticus* Hübner, [1807]

The type of *Helicopsis* Fabricius, 1807, is *Papilio cupido* Linnaeus, 1758 (that species having been so selected by Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 186). At the time when the case dealt with in *Opinion 137* was submitted to the International Commission, the petitioner accepted *Rusticus* Hübner as an available name as from 1807, having *Papilio gnidus* Fabricius, 1787, as type (that species having been so selected by Hemming, 1934, *Entomologist* 67 : 156).¹

¹ *Personal Note by Commissioner Francis Hemming* : As it was by myself that the case dealt with in *Opinion 137* was submitted to the International Commission on Zoological Nomenclature, I wish to take this opportunity of correcting what I now see was an error in the portion of the "statement of the case" relating to the names *Helicopsis* Fabricius, 1807, and *Rusticus* Hübner, [1807]. As explained in the "statement of the case," the name *Rusticus* first appeared in Hübner's *Tentamen*, but in view of *Opinion 97* it acquired thereby no rights under the Law of Priority. As explained in that *Opinion*, rejected *Tentamen* names take status under the Law of Priority as from the first subsequent occasion on which they are published in conditions which satisfy Article 25 of the *Règles Internationales*. The

(3) *Pontia* Fabricius, 1807, and *Mancipium* Hübner, [1807]

The type of *Pontia* Fabricius, 1807, is *Papilio daphidice*

first occasion after the *Tentamen* on which the name *Rusticus* was published was in 1807 when in volume 1 of his *Sammlung exotischer Schmetterlinge* Hübner (on plates [102] and [104]) applied this name to two species, namely *Papilio aetolus* Sulzer, 1776, and *Papilio gnidus* Fabricius, 1787. The last-named species was selected by myself (1934, *Entomologist* 67 : 156) as the type of *Rusticus* Hübner, [1807], and was treated as such when I submitted this case to the International Commission.

2. What I did not realise at the time when I submitted this case was that, under the interpretation of Article 25 of the *Règles Internationales* given by the International Commission in *Opinion* 1 (see 1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 73-86), a generic name is published without an "indication" (and possesses, therefore, no rights under the Law of Priority as from the date of such publication), if the original author, without giving any "description" or "definition," merely assigned two or more species to the genus and did not cite or designate one of the included species as the type of the genus.

3. If in 1934 I had correctly realised the position under Article 25, I should not have troubled the International Commission with this case, for I should have seen that in no circumstances could the name *Helicopsis* Fabricius, 1807, have been invalidated on grounds of priority in favour of *Rusticus* Hübner, [1807], since the name *Rusticus* was published by Hübner in 1807 with two included species and without a cited or designated type and in consequence was published without an "indication." The name *Rusticus* Hübner possesses, therefore, no rights under the Law of Priority (Article 25) as from the date on which it was published by Hübner in 1807. It is, therefore, necessary to find the next occasion on which this name was published. This is found to have been in 1808 (see Hemming, 1937, *Hübner* 2 : 251), when (on plate [105] of volume 1 of the *Sammlung exotischer Schmetterlinge*) Hübner applied it to the single species *Papilio cupido* Linnaeus, 1758. The International Commission have laid it down in *Opinion* 30 (which was published in 1911, *Smithson. Publ.* 2013 : 69-72, and dealt with certain generic names for birds published by Swainson in 1827) that, where, by reason of the relative dates of publication of two papers by a given author, that author accidentally includes only a single species in a new genus, that genus is to be regarded as a monotypical genus with the sole included species as its type, even where later the original author makes it clear that he never intended to found a monotypical genus and that he intended some other species to be the type.

4. The position is, therefore, (1) that on each of the first two occasions on which the name *Rusticus* Hübner appeared in print (*i.e.* in 1806 in the *Tentamen* and in 1807 on two plates in vol. 1 of the *Samml. exot. Schmett.*), it appeared in conditions which conferred upon it no rights under the Law of Priority, and (2) that on the next occasion on which this name was published (*i.e.* in 1808 on a single plate in vol. 1 of the *Samml. exot. Schmett.*) it was published in conditions, in which, under *Opinion* 30, it must be accepted as the name of a monotypical genus and, therefore, as being, under *Opinion* 1, a name which, when so published, was accompanied by an "indication" and thereby acquired rights under the Law of Priority as from that date (1808). Accordingly, *Rusticus* Hübner is, for nomenclatorial purposes, a name published by Hübner in 1808 for a monotypical genus, having *Papilio cupido* Linnaeus, 1758, as its type.

5. It can now, therefore, be seen that *Rusticus* Hübner, [1808], is an objective synonym of *Helicopsis* Fabricius, 1807, since *Papilio cupido* Linnaeus, 1758, is the type of both these genera.

Linnaeus, 1758 (that species having been so selected by Curtis, 1824, *Brit. Entom.* 1 : expl. pl. 48). The type of *Mancipium* Hübner, [1807], is *Papilio hellica* Linnaeus, 1767, by monotypy.

2. Confusion rather than uniformity would certainly have arisen if it had been necessary on nomenclatorial grounds to suppress, as synonyms, the names *Morpho* Fabricius, 1807, *Helicopsis* Fabricius, 1807, and *Pontia* Fabricius, 1807, in favour respectively of the names *Potamis* Hübner, [1807], *Rusticus* Hübner, [1807], and *Mancipium* Hübner, [1807], since each of the last three names originally appeared in Hübner's *Tentamen* in senses entirely different from those indicated above. These names acquired considerable currency in the sense required by the *Tentamen*, prior to the publication in 1926 of *Opinion* 97,² in which the International Commission on Zoological Nomenclature decided that the generic names which first appeared in the *Tentamen* in 1806 have no nomenclatorial status as from that date but rank as from the next occasion on which they were published. The use of these names in the sense indicated in paragraph 1 above would therefore have caused great confusion and it was for this reason that the International Commission were invited to use their plenary powers to obviate this danger. The confusion so arising would have been particularly marked in the case of *Potamis* Hübner, [1807], for it would have involved also the suppression of the family name MORPHIDAE and the introduction of the new family name POTAMIDAE.

3. At their Lisbon Session, the International Commission decided to dispose of this problem once and for all by validating the names *Morpho* Fabricius, 1807, *Helicopsis* Fabricius, 1807, and *Pontia* Fabricius, 1807, under their plenary powers.

4. The *Official List of Generic Names in Zoology* was finally brought into existence in 1913 by the Ninth International Congress of Zoology at the same meeting as that at which the Congress conferred upon the International Commission on Zoological Nomenclature plenary powers to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules in that case would clearly result in greater confusion than uniformity.³ The object of the Congress

² See 1926, *Smithson. misc. Coll.* 73 (4) : 19-30.

³ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

in taking these decisions was to promote the stabilisation of zoological nomenclature and it was always intended that the power granted to the Commission to suspend the rules under the plenary powers then granted to them should be used, where necessary, to supplement and develop the *Official List of Generic Names in Zoology*. Accordingly, ever since the establishment of the *Official List*, the International Commission on Zoological Nomenclature have made it their practice automatically to place on the *Official List* every generic name which they have found it necessary to validate under their plenary powers.

5. It was therefore part of the decision taken by the International Commission at their Lisbon Session that the names *Morpho* Fabricius, 1807, *Helicopsis* Fabricius, 1807, and *Pontia* Fabricius, 1807, which they then validated under their plenary powers, should thereupon be added to the *Official List of Generic Names in Zoology*. Unfortunately, as the result of the small amount of time available at Lisbon and the great pressure under which, in consequence, it was necessary to work, the International Commission on Zoological Nomenclature, in preparing the paragraph (paragraph 19) of their report to the Twelfth International Congress of Zoology, in which they recorded their decision to validate under their plenary powers the three generic names discussed above, inadvertently omitted to add that, in consequence of that decision, they had decided also to add the three names, so validated, to the *Official List of Generic Names in Zoology*.

6. The foregoing omission was first detected in 1943 when, as Secretary to the International Commission, I made a systematic examination of all the *Opinions* so far rendered by the International Commission, with the object of ascertaining what names had so far been placed on the *Official List of Generic Names in Zoology*. I at once reported the position to Commissioner Karl Jordan, *President of the Commission*, who replied (2nd December 1943) as follows:—"All generic names which have been validated by *Opinion* of the Commission are thereby placed on the *Official List*, whether the *List* has been mentioned in the *Opinion* or not. It would inevitably lead to confusion, if some names were left out, for zoologists might conclude that names so omitted had not the same standing as that of names placed on the *List*. It will be advisable in future to state in any *Opinion* validating a generic name that the name so validated is thereby 'placed on the *Official List*.'"

7. In these circumstances, *Opinion* 137 is to be read as though

it contained an express direction that the under-mentioned names are thereby added to the *Official List of Generic Names in Zoology* as Names Nos. 564 to 566 :—

Name of genus	Type of genus
<i>Morpho</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 280	<i>Papilio achilles</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 463 (type selected by Westwood, [1851], in Doubleday, <i>Gen. diurn. Lep.</i> (2) : 341)
<i>Helicopsis</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 285	<i>Papilio cupido</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 482 (type selected by Scudder, 1875, <i>Proc. Amer. Acad. Arts Sci.</i> , Boston 10 : 186)
<i>Pontia</i> Fabricius, 1807, <i>Mag. f. Insektenk.</i> (Illiger) 6 : 283	<i>Papilio daphidice</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 468 (type selected by Curtis, 1824, <i>Brit. Entom.</i> 1 : expl. pl. 48)

SIGNED ON BEHALF OF THE INTERNATIONAL
COMMISSION ON ZOOLOGICAL NOMENCLATURE
FRANCIS HEMMING

Secretary to the Commission

Secretariat of the Commission,
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11th August 1945.



Opinion 148 (pp. 133-144)

On the status of a generic name proposed as an emendation of a previously published generic name, where the earlier published of the two generic names is later found to be invalid by reason of being a homonym or otherwise

Opinion 148 lays down certain principles to be observed in interpreting Articles 25 and 34 of the International Code in relation to the availability of generic names proposed as emendations of, or as substitutes for, earlier generic names of the same origin and meaning.

2. This problem was considered by the International Commission on Zoological Nomenclature at their Session held at Lisbon in 1935, when they agreed that, in view of the importance of the principle involved, the decision embodied, but not clearly enunciated, in *Opinion 120* (which was concerned expressly only with the relative status of the names *Achatinus* de Montfort, 1810, and *Achatina* Lamarck, 1799) should be re-stated in general terms for the information of students in all branches of zoology.

3. The "summary" of *Opinion 148* was drafted with the object of giving effect to the foregoing decision, but on further examination it is now clear that the effort then made to secure brevity in the wording of the examples given in Sections (1) and (3) of the "summary" unfortunately led to the use of phraseology which in certain respects is ambiguous and which might in certain circumstances be misleading. The responsibility for the drafting of this "summary" rests with myself as Secretary to the International Commission and I take this opportunity of expressing my regret that the wording employed was not absolutely clear. The present note is inserted here for the purpose of removing any doubts which may have arisen as to the nature and scope of the decision reached by the International Commission at Lisbon in 1935. References to this note have been included in the Foreword to the present volume and in the Table of Contents and the Index at those points at which reference is made to *Opinion 148*. It is hoped that in this way the attention of any zoologist who consults *Opinion 148* will automatically be drawn to the explanation given in the present note.

4. The point which it is here particularly desired to stress is that it never was the intention of the International Commission

to suggest that once a generic name published as an emendation of an earlier generic name of the same origin and meaning has been rejected as a synonym of that earlier name (as laid down in Section (1) of the "summary" of *Opinion 148*), the name so rejected remains unavailable for all time, irrespective of any changes in the status of the earlier name which may later occur, either as the result of the receipt of additional information in regard thereto or for any other cause. Any such suggestion would be manifestly contrary to the provisions of Article 25 of the International Code.

5. Section (1) of the "summary" of *Opinion 148*: The problem dealt with in this Section is that of the status of a generic name (say, *Achatinus*) published as an emendation of a previously published generic name (say, *Achatina*) of the same origin and meaning, where the earlier published of the two names is itself an available name under the Code. On this subject, Section (1) of the "summary" of *Opinion 148* states that: "*Achatinus* de Montfort, 1810, being an emendation of *Achatina* Lamarck, 1799, is to be rejected as a synonym of *Achatina* Lamarck."

6. Nothing was said—nor was it considered necessary that anything should be said—in Section (1) of the "summary" of *Opinion 148* in regard to what would be the status of the emendation *Achatinus* de Montfort, 1810, if it were found that the name *Achatina* Lamarck, 1799, was for any reason itself a nomenclatorially unavailable name. As Section (1) was drafted, it would, however, be possible to interpret it as meaning that in such a case the emendation *Achatinus* de Montfort, 1810, could not be brought out of synonymy and used as the name for the genus hitherto known as *Achatina* Lamarck, 1799, but now found to be without a nomenclatorially available name. As already explained (in paragraph 4 above), the International Commission at no time had any intention of laying down any such proposition. Clearly, under Article 25 of the International Code the oldest name for a genus is the correct name for that genus if that name was published in accordance with the several provisions of that Article and if that name is otherwise available (for example, if that name is not itself invalid as a homonym under Article 34 of the Code). It follows, therefore, that, if for any reason it was necessary to reject a generic name (say, *Achatina*) (for example, because it was published without an indication, definition or description, or because it was published by an author who did not accept the principles of binary nomenclature) and if the senior synonym of

Achatina was the emendation *Achatinus* (and that name was not invalid by reason—for example—of being a homonym), then the emendation *Achatinus*, being the oldest available name for the genus, would become its correct generic name from the nomenclatorial standpoint.

7. In order to remove any possibility of misunderstanding regarding the meaning of Section (1) of the "summary" of *Opinion* 148, it has been decided:—

- (a) in line 3, after the words "earlier name," to insert the words "where that name is itself an available name"; and
- (b) in line 6, at the beginning of the sentence following the word "Example," to insert the words "Assuming that the name *Achatina* Lamarck, 1799, is itself an available name."

8. *Section (3) of the "summary" of Opinion 148*: This Section deals with the status of a generic name published as a substitute for a previously published name of the same origin and meaning, but the subject dealt with in Section (1) of the "summary" is alluded to in the last sentence of the example given in Section (3). As drafted, that sentence, which commences with the word "If" at the end of the 1st line but one on page 135 and concludes with the words "not available" in line 2 on page 136, is both obscure and in some respects definitely misleading. It has, therefore, been decided to cancel and withdraw the last sentence of Section (3) of the "summary" of *Opinion* 148.⁴

SIGNED ON BEHALF OF THE INTERNATIONAL
COMMISSION ON ZOOLOGICAL NOMENCLATURE

FRANCIS HEMMING

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12th August 1945.

⁴ The names selected to illustrate the principle laid down in Section (3) of *Opinion* 148 were *Protodryas* and *Prodryas*, which were there stated to be of the same origin and meaning. It should here be noted that the prefixes "Proto-" and "Pro-" are not of the same origin and meaning as one another, although, when used in conjunction with the word "dryas," the meaning of these words is substantially similar, each indicating that the generic name so compounded is a substitute for an earlier generic name "Dryas."



Opinion 149 (pp. 145-160)

On the question whether "Sphingonothus" or "Sphingonotus" is the correct spelling of the name originally published as Sphingonothus Fieber, 1852 (Class Insecta, Order Orthoptera)

One of the generic names placed on the *Official List of Generic Names in Zoology* by *Opinion 149* was the name originally published as *Sphingonothus* Fieber, in Kelch, *Grundl. Orth. Obersches.* : 2 (type by monotypy: *Gryllus caerulans* Linnaeus, 1767, *Syst. Nat.* (ed. 12) 1 (2) : 701).

2. The proposal that the above name should be added to the *Official List* was originally submitted to the International Commission on Zoological Nomenclature by Commissioner Karl Apstein in 1915. In that list this generic name was spelt "*Sphingonotus*." The proposals relating to this and other names of genera of the Order Orthoptera included in Commissioner Apstein's list were referred to Dr. A. N. Caudell, United States National Museum, for advice (see paragraphs 1 & 2 of *Opinion 149*). In the copy of Dr. Caudell's report submitted to the International Commission for consideration at their Lisbon Session in September 1935 this name was spelt "*Sphingonothus*." Accordingly, this was the spelling used in the report then submitted by the International Commission to the Twelfth International Congress of Zoology (see 1943, *Bull. zool. Nomencl.* 1 : 58).

3. At their Lisbon Session the International Commission were much handicapped by lack of works of reference and they accordingly agreed (Lisbon Session, 5th Meeting, Conclusion 1(c), for the full text of which see 1943, *Bull. zool. Nomencl.* 1 : 44) "to authorise Commissioner Hemming to examine the report after the close of the Congress when works of reference were available to him for the purpose of checking the accuracy of the bibliographical and other references cited therein, and to correct any errors that might be found before the text of the report was officially published."

4. In accordance with the foregoing decision all the names included in the Commission's report to the Lisbon Congress were checked by myself on my return to London. In the case of the generic name here under consideration, I found that "*Sphingonothus*" was the spelling used by Kelch when in 1852 he first

published this name, which had been devised by, but at that time had not been published by, Fieber. I accordingly concluded that the spelling "*Sphingonotus*" in Commissioner Apstein's original application was a slip for "*Sphingonothus*," the original spelling of this name, and therefore that, as respects this name, no correction of the Lisbon report was required. It was for this reason that, in preparing *Opinion* 149 to give effect to the Commission's decision in this matter, I used the spelling "*Sphingonothus*" and not the spelling "*Sphingonotus*."

5. Following the publication of *Opinion* 149, I received a letter (dated 26th April 1944) from Dr. B. P. Uvarov, British Museum (Natural History), drawing attention to the fact that the spelling "*Sphingonothus*" should be corrected to "*Sphingonotus*." Dr. Uvarov furnished the following note explaining the position:—

The name *Sphingonothus* Fieber was published for the first time by Kelch (1852, *Grundl. Orth. Obersches.* : 2), with *Gryllus caeruleans* Linnaeus, 1767, as the only included species which made the genus monotypical and the name nomenclatorially valid (vide *Opinion* 1 of the International Commission on Zoological Nomenclature).⁵

In 1853, Fieber himself published (*Lotos* 3 : 124) a diagnosis of the genus, the name of which was then given as *Sphingonotus*. Thus, the spelling *Sphingonothus* has a priority over *Sphingonotus*. The spelling *Sphingonothus*, however, should be regarded as due to a printer's error, for the following reasons:—

- (1) The list which Fieber supplied to Kelch for publication was stated (Kelch, *loc. cit.* : 3) to have been extracted from a manuscript work by Fieber entitled:—"Die Orthoptera Europas." Fieber's own paper (1853, *loc. cit.* 3 : 90) had the title:—"Synopsis der europäischen Orthopteren mit besonderer Berücksichtigung auf die in Böhmen vorkommenden Arten als Auszug aus dem Drucke vorliegenden Werke 'Die europäischen Orthopteren.'" It is clear that in both cases extracts were made from the same manuscript (which has never been published).
- (2) It appears highly probable that Fieber did not take any direct part in the publication of Kelch's list, and certainly did not read its proofs, since the list contains several obvious misprints in the names of groups and genera described by Fieber, e.g. *Campylostevirae* instead of *Campylostirae*, *Euthyteirae* instead of *Euthystirae* and *Psopha* instead of *Psophus*.⁶
- (3) In Fieber's own publication (1853) the Greek derivation of the name *Sphingonotus* was given as "σφιγγέν schnüren und νοτός Rücken," making it quite clear that Fieber could not have used the spelling *Sphingonothus* as printed by Kelch.
- (4) Not a single one of all subsequent writers on Orthoptera have used the spelling *Sphingonothus*, all ignoring it as a misprint.

Conclusion. The spelling of the name *Sphingonothus* contains a proven

⁵ See 1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 73-86.

⁶ For a further discussion of the names *Psopha* Fieber, 1852, in Kelch, and *Psophus* Fieber, 1853, see sub-paragraph (I) of paragraph 9 of *Opinion* 149 (pp. 154-155 above).

typographical error and this case falls therefore within the provisions of Article 19 of the International Code. Under the Code, therefore, the correct spelling of this name is *Sphingonotus* Fieber, 1852, and this spelling should be adopted for this name in the *Official List of Generic Names in Zoology*.

6. The evidence brought forward by Dr. Uvarov shows conclusively that, having regard to the derivation of the name, the spelling "*Sphingonothus*" is erroneous and that the correct spelling is "*Sphingonotus*."

7. Dr. Uvarov further claims that the spelling "*Sphingonothus*" is an evident typographical error for "*Sphingonotus*" and therefore that, under Article 19 of the *Règles Internationales* (International Code), the corrected spelling "*Sphingonotus*" is automatically the spelling which should be used. As in case of dispute the sole substantive text of the *Règles Internationales* is the French text (the English, German and Italian texts being only translations of that text), it is necessary at this point to examine the French text of Article 19, in order to determine whether the present case falls within the scope of that Article.

8. Article 19 in the substantive French text of the *Règles Internationales* reads as follows :—

19.—L'orthographe originelle d'un nom doit être conservée, à moins qu'il ne soit évident que ce nom renferme une faute de transcription, d'orthographe ou d'impression.

9. It may very well be the case, as Dr. Uvarov suggests, that the spelling "*Sphingonothus*" used by Kelch in 1852 is due to a "faute d'impression" made during the printing of Kelch's work. It is equally possible, however, that the error of spelling may have been due to a miscopying by Kelch of the list furnished to him by Fieber, in which case the spelling "*Sphingonothus*" is to be rejected, under Article 19, as a "faute de transcription." However this may be, it is perfectly clear from the evidence brought forward by Dr. Uvarov, that the spelling "*Sphingonothus*" represents an error of orthography and, therefore, that, under Article 19, that spelling is to be rejected as a "faute d'orthographe" in favour of the spelling "*Sphingonotus*."

10. I very much regret that I was not aware of the subsequent history of this name at the time when, in accordance with the duty imposed upon me by the International Commission at their Lisbon Session,⁷ I examined the report which they then submitted to the Twelfth International Congress of Zoology, with a view to correcting any errors on questions of fact which, through lack of

⁷ See paragraph 3 above (p. (15)).

works of reference at that Session, might inadvertently have been included in that document. The present opportunity is, therefore, taken to place on record that, wherever the spelling "*Sphingonothus*" occurs in *Opinion* 149, it should be corrected to "*Sphingonotus*." The correct spelling of the generic name placed on the *Official List of Generic Names in Zoology* by that *Opinion* is, therefore, *Sphingonotus* Fieber, 1852.

SIGNED ON BEHALF OF THE INTERNATIONAL
COMMISSION ON ZOOLOGICAL NOMENCLATURE
FRANCIS HEMMING

Secretary to the Commission

Secretariat of the Commission,
at the British Museum (Natural History),
Cromwell Road, LONDON, S.W.7.

15th August 1945.

ADDENDA ET CORRIGENDA**Opinion 134**

Page 5, *eleventh line from foot of page*: Substitute "Ninth" for "Sixth."

Page 6, *line 8*: Substitute "Ninth" for "Sixth."

Opinion 135

Page 11, *thirteenth line from foot of page*: Substitute "Ninth" for "Sixth."

Page 12, *line 6*: Substitute "Ninth" for "Sixth."

Opinion 136

Page 15, *ninth line from foot of page*: At end of sentence after the date "1810," insert the words "should be accepted as designation of types of the genera in question."

Opinion 137

Page 21, *last line of "Summary"*: At end insert the following sentence: "The names *Morpho* Fabricius, 1807 (type: *Papilio achilles* Linnaeus, 1758), *Helicopsis* Fabricius, 1807 (type: *Papilio cupido* Linnaeus, 1758), and *Pontia* Fabricius, 1807 (type: *Papilio daphidice* Linnaeus, 1758) are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 564 to 566."

Opinion 148

Page 135, *line 3 of Section (I) of "Summary"*: After the words "earlier name," insert the words "where that name is itself an available name."

Page 135, *line 6 of Section (I) of "Summary"*: At the beginning

(20) OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL
of the sentence following the word " Example," insert the words
" Assuming that the name *Achatina* Lamarck, 1799, is an available
name."

Page 135, last line but one: Delete the sentence commencing
with the word " If " and ending (on line 2 of page 136) with the
words " not available."

Opinion 149

Page 147, last line but one of " Summary " : Substitute " *Sphingonotus* " for " *Sphingonothus*."

Page 147, paragraph 1, last line but two: Substitute " *Sphingonotus* Fieber " for " *Sphingonothus* Fieber (as *Sphingonotus*)."

Page 150, line 25 : Substitute " *Sphingonotus* " for " *Sphingonothus*."

Page 157, line 2 : Substitute " *Sphingonotus* " for " *Sphingonothus*."

Opinion 160

Page 291, title of Opinion, line 2 : Between the word " Gervais " and the word " van," insert the word " and."

Page 297, paragraph 6, line 1 : Substitute " Stekhoven " for " Steckhoven."

Page 298, paragraph 8, line 9 : Substitute " *Anguillula* " for " *Anguillulina*."

Page 299, paragraph 11, line 1 : Substitute " Ditlevsen " for " Ditlevson."

Page 299, paragraph 14, line 2 : Substitute " Alma-Ata, Kazakhstan " for " Almata, Krazekstau."

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**DATES OF PUBLICATION OF THE SEVERAL PORTIONS OF
SECTION A OF THE PRESENT VOLUME ⁸**

Title Page, Foreword, Table of Contents and Introductory Note (pp. TP-XVI) (published with Part 30 A)	5th December 1945
Pp. i-xvi (Parts 18 & 19)	24th May 1944
: xvii-xxiv (Part 22)	12th July 1944
: 1-20 (Parts 1-3)	28th August 1939
: 21-34 (Parts 4 & 5)	30th October 1942
: 35-66 (Parts 6-8)	30th January 1943
: 67-88 (Parts 9 & 10)	25th March 1943
: 89-98 (Part 11)	30th March 1943
: 99-132 (Parts 12-14)	30th September 1943
: 133-144 (Part 15)	26th October 1943
: 145-168 (Parts 16 & 17)	9th December 1943
: 169-196 (Parts 20 & 21)	24th May 1944
: 197-238 (Parts 23-25)	12th July 1944
: 239-250 (Part 26)	17th October 1944
: 251-290 (Parts 27-29)	21st February 1945
: 291-306 (Part 30)	17th April 1945
: (1)-(44) (Part 30 A).	5th December 1945

⁸ These particulars are given on the last page of the present volume in accordance with the requirements of *Declaration 8* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1* : 57-64).

INSTRUCTIONS TO BINDER

The pages comprised in Section A of volume 2 of *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* are to be arranged for binding in the following order :—TP-[II]-III-XVI, i-xxiv, 1-306, (1)-(44).

OPINIONS AND DECLARATIONS
rendered by the
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

Edited by
FRANCIS HEMMING, C.M.G., C.B.E.
*Secretary to the International Commission
on Zoological Nomenclature*

VOLUME 2, SECTION B
(**comprising Opinions 161—181 and
Directions 2 and 4—9**)

LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and sold on behalf of the
International Commission on Zoological Nomenclature
by the International Trust at its Publications Office,
41, Queen's Gate, London, S.W.7

1945-1955

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FOREWORD

It was decided in 1945 to divide the present volume into two continuously-paged Sections. Section A was closed after the publication of Part 30 and accordingly included *Declarations* 10 to 12 and *Opinions* 134 to 160.

The present Section (Section B) contains the remainder of the *Opinions* adopted by the Commission at its Session held at Lisbon in 1935 (*Opinions* 161 to 181). It contains also seven *Directions* (*Directions* 2, and 4 to 9) adopted by the Commission in 1954. These *Directions* contain supplementary decisions which were required in order to complete not only the *Opinions* included in Section B but also those included in Section A in respect of those matters specified in the General Directives in regard to the form and content of *Opinions* issued to the Commission by the Thirteenth and Fourteenth International Congresses of Zoology held respectively at Paris in 1948 and at Copenhagen in 1953. The subjects covered by these Directives have been explained in the general Foreword to the present volume (: (VII)—(XI)).

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature*

25th January 1955

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 31. Pp. 307-318.

OPINION 161

Suspension of the rules for *Argynnis* Fabricius,
1807 (Class Insecta, Order Lepidoptera)

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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Ref.

OPINION 161.

SUSPENSION OF THE RULES FOR *ARGYNNIS* FABRICIUS, 1807 (CLASS INSECTA, ORDER LEPIDOPTERA).

SUMMARY.—Under suspension of the rules it is hereby declared (i) that *Argyreus* Scopoli, 1777 (type : *Papilio niphe* Linnaeus, 1767 = *Papilio hyperbius* Linnaeus, 1763) is not to be substituted for *Argynnis* Fabricius, 1807 (type : *Papilio paphia* Linnaeus, 1758) ; (ii) that *Argynnis* Fabricius, 1807, is therefore valid ; but (iii) that this decision will not affect¹ the validity of *Argyreus* Scopoli, 1777, in so far as that name is otherwise available,¹ in the event of it being found desirable on taxonomic grounds to place *Papilio niphe* Linnaeus and *Papilio paphia* Linnaeus in different genera. The name *Argynnis* Fabricius, 1807 (Class Insecta, Order Lepidoptera), with type *Papilio paphia* Linnaeus, 1758, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 609.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 23rd February 1934, in which the Council of the Royal Entomological Society of London drew attention to the conclusions reached by the Lepidoptera Sub-Committee² of the Society's Committee on Generic Nomenclature,³ regarding the generic names of certain of the British Lepidoptera, in regard to which both the Lepidoptera Sub-Committee and the Committee on Generic Nomenclature were of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity. The Society enclosed a copy of the Report of the Lepidoptera Sub-Committee (published that day as Part 2 of the *Generic Names of British Insects*), to which was attached a paper by Commissioner Francis Hemming, in which was given a full statement in regard to each of the names

¹ On the question of the availability of Scopoli's *Introductio ad Historiam naturalem*, in which *Argyreus* Scopoli was first published, see *Opinion* 160 (summary and paragraphs 16(d) and (e) and 17 on pp. 293 and 301-302 above).

² This Sub-Committee was then composed as follows :—Mr. Francis Hemming (*Chairman*), Mr. N. D. Riley, and Mr. W. H. T. Tams.

³ This Committee was then composed as follows :—Sir Guy Marshall (*Chairman*), Dr. K. G. Blair, Mr. Francis Hemming, Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Secretary*).

in question. One of these names was *Argynnis* Fabricius, 1807 (*Mag. f. Insektenk.* (Illiger) 6 : 283).

2. The following is an extract from the paper referred to above of the passage relating to this genus :—

ARGYNNIS Fabricius

Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 283

Latreille, 1810, *Consid. gén. Anim. Crust. Arach. Ins.* : 440

TYPE (fixed by Latreille) = *Papilio paphia* Linnaeus, 1758

Note 1.—The name *Argynnis* Fab., 1807 (type *Papilio paphia* Linn.) is a perfectly valid name in the sense (a) that it is not a homonym of any older generic name *Argynnis* and (b) that there is no older valid generic name having the same species as its type. Unfortunately in 1928 Reuss selected (*Int. ent. Z.* 22 : 146) *Papilio niphe* Linn., 1767 (= *Papilio hyperbius* Linn., 1763) as the type of *Argyreus* Scop., 1777 (*Intr. Hist. nat.* : 431). This fixation is valid under the International Code of Zoological Nomenclature and it follows therefore that if, as most systematists agree, *Papilio paphia* Linn. (the type of *Argynnis* Fab.) is congeneric with *Papilio niphe* Linn., the name *Argynnis* Fab. should be sunk as a synonym of *Argyreus* Scop.

During the whole of the nineteenth century, the "Fritillaries" were universally known by the generic name *Argynnis* Fab., and the great majority both of the Palaearctic and Nearctic species were originally described under that name. It is only in recent years that an effort has been made to substitute the name *Dryas* Hb., 1806, for *Argynnis* Fab., 1807, but this effort never won any considerable degree of support in view of the unsatisfactory character of the *Tentamen* of Hübner in which this name appeared. Since the publication of *Opinion* 97 of the International Commission on Zoological Nomenclature declaring against the validity of the *Tentamen*, the name *Dryas* Hb. (as applied to *Papilio paphia* Linn., which would have been its type, if the *Tentamen* had been valid) has been dropped and the name *Argynnis* Fab. has again been universally applied both in Europe and America to *Papilio paphia* Linn. and the species congeneric therewith.

No attention has been paid by systematists to Reuss's effort to bring forward the name *Argyreus* Scop., on the ground, no doubt, that to use this name in place of *Argynnis* Fab. would cause an entirely unnecessary disturbance in existing practice and would create far more confusion than would a suspension of the rules in this case. The matter should not, however, be allowed to rest where it is, and the present universal, but tacit and irregular, acceptance of *Argynnis* Fab. in preference to the older *Argyreus* Scop. should be regularised as soon as possible.

3. The paper from which the foregoing passage is an extract concluded with the hope that the Lepidoptera Sub-Committee would join in reporting to the Committee on Generic Nomenclature of the Royal Entomological Society of London that it was highly desirable that in the exercise of the plenary power conferred upon them by the International Congress of Zoology, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect :—

The name *Argynnis* Fab., 1807 (type *Papilio paphia* Linn., 1758) is hereby added to the *Official List of Generic Names*. The name *Argyreus* Scop., 1777 (type *Papilio niphe* Linn., 1767) is, therefore, not to be substituted for *Argynnis* Fab., 1807, though it is available for use for *Papilio niphe* Linn., 1767, by such systematists as regard that species as generically distinct from *Papilio paphia* Linn.

4. These conclusions were concurred in by the Lepidoptera Sub-Committee by whom they were submitted to the Committee on Generic Nomenclature. The latter body endorsed the view of the Sub-Committee and recommended the Council of the Royal Entomological Society of London to approach the International Commission in the sense indicated. It was in accordance with this recommendation that the Council of the Society addressed to the Commission the letter referred to in paragraph 1 above.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

5. Before the International Commission had time to take any action on this case, they received a letter on the same subject (dated 17th May 1934) from Dr. J. McDunnough, Chief of the Division of Systematic Entomology, Entomological Branch, Department of Agriculture, Ottawa, from which the following is an extract :—

I am enclosing signed copies of a short note which is appearing in the current number of the "Canadian Entomologist." You will see by this that the *large majority* of active systematic Lepidopterists advocate the fixing of certain genotypes for the four genera mentioned in the note and I am sure also that the large proportion of continental entomologists are in favour of such procedure. . . .

6. The following is an extract from the note furnished by Dr. McDunnough :—

ON THE STABILIZING OF FOUR GENERIC NAMES (Lepid. Rhopalocera)

To students of the involved generic nomenclature of the Palaearctic and Nearctic Diurnal Lepidoptera, the recent publication of the "Generic Names of British Rhopalocera" will prove of great interest. This pamphlet has been prepared by Mr. Francis Hemming at the request of the Royal Entomological Society of London, and includes full details regarding type fixation and synonymy. Appended to the list is the first report of the Lepidoptera Sub-committee to the main committee, and following Mr. Hemming's suggestions, the suspension of the Law of Priority in four cases is advocated by this sub-committee, the ground being that strict application of the rules would cause serious, and quite unnecessary, disturbance in existing practice.

The genera involved, with their proposed genotypes, are as follows :—

Argynnis Fabr. (*P. paphia* Linn.); . . .

Welcoming any action that would assist in stabilizing generic Nomenclature, the undersigned lepidopterists express their full agreement with the recommendations of the above sub-committee and would urge the adoption of this report.

- J. McDunnough, Entom. Br. Dept. of Agriculture, Ottawa, Canada. May 15, 1934.
 Jessie D. Gunder, 310 Linda Vista Ave., Pasadena, Calif. Apr. 13, 1934.
 John A. Comstock, Los Angeles Museum, Exposition Park, Los Angeles, Calif. Apr. 26, 1934.
 Wm. T. M. Forbes, Dept. of Entomology, Cornell U., Ithaca, N.Y. Apr. 17, 1934.
 Roswell C. Williams, Jr., Acad. Nat. Sciences, 19th & Race Sts., Philadelphia, Pa. Apr. 17, 1934.
 E. Irving Huntingdon, 115 East 90th St., New York, N.Y. April 21, 1934.
 Cyril F. dos Passos, Washington Corners, Mendham, N.J. Apr. 23, 1934.
 Frank E. Watson, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.
 C. H. Curran, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.
 Ernest Bell, 150-17 Roosevelt Ave., Flushing, N.Y. Apr. 24, 1934.
 Alyach B. Klots, College of the City of New York, Dept. of Biology. Apr. 24, 1934.

7. As a first step, the International Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee agreed to recommend the International Commission on Zoological Nomenclature to take such action under their plenary powers as might be necessary to secure that in no circumstances should the name *Argyreus* Scopoli, 1777 (type *Papilio niphe* Linnaeus, 1767) replace the name *Argynnis* Fabricius, 1807 (type *Papilio paphia* Linnaeus, 1758). This, and other, recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

8. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they

found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the generic names *Argynnis* Fabricius, 1807, and *Argyreus* Scopoli, 1777, was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

9. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22), when the Commission agreed⁴ :—

(a) to "suspend the rules" in the case of the following generic names :—

.....
(iii) *Argynnis* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 283

.....
(d) to declare that the generic name *Argyreus* Scopoli, 1777, *Intr. Hist. nat.* : 431 (type : *Papilio niphe* Linnaeus, 1767, *Syst. Nat.* (ed. 12) 1 (2) : 785) (= *Papilio hyperbius* Linnaeus, 1763, *Amoen. Acad.* 6 : 408) is not to be substituted for *Argynnis* Fabricius, 1807 (type : *Papilio paphia* Linnaeus, 1758, *Syst. Nat.* (ed. 10) : 481); that the name *Argynnis* Fabricius, 1807, is therefore valid; but that this decision would not affect the validity of the name *Argyreus* Scopoli, 1777, in so far as it is otherwise available,⁵ in the event of it being found desirable on taxonomic grounds to place *Papilio niphe* Lin-

⁴ Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20-23.

⁵ See footnote 1.

naeus (= *Papilio hyperbius* Linnaeus) and *Papilio paphia* Linnaeus in different genera;

- (i) to add the generic names . . . *Argynnis* Fabricius, 1807, . . . to the *Official List of Generic Names*, with the type as indicated above;
- (l) to render *Opinions* in the sense of (a) to (l) above.

10. The foregoing decisions were embodied in paragraph 28 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

11. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 8 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁶ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

12. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

⁶ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

13. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

14. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

15. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty One (*Opinion* 161) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twenty third day of May, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of:—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944. Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely:—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-35, containing *Declarations* 10-12 and *Opinions* 134-165, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-5 (containing *Opinions* 182-186) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 32. Pp. 319-334.

OPINION 162

Suspension of the rules for *Bracon* Fabricius,
[1804-1805] (Class Insecta, Order Hymenoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price four shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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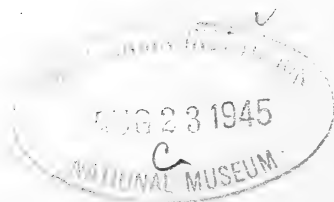
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OPINION 162.

SUSPENSION OF THE RULES FOR *BRACON* FABRICIUS, [1801–1805] (CLASS INSECTA, ORDER HYMENOPTERA).

SUMMARY.—Under suspension of the rules (i) all existing type designations for *Bracon* Fabricius, [1804–1805], are set aside, and (ii) *Ichneumon minutator* Fabricius, 1798, is hereby designated as the type of that genus. The name *Bracon* Fabricius, [1804–1805] (Class Insecta, Order Hymenoptera), with the type indicated above, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 610.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Order Hymenoptera in all countries, the following petition signed by Professor Chester Bradley and 59 other hymenopterists was submitted to the International Commission on Zoological Nomenclature :—

THE CASE OF THE GENUS *BRACON*

The genus *Bracon* Jurine ("Erlangen List," 1801) was assigned by its author two species, *Ichneumon desertor* and *denigrator*. In the *Systema Piezatorum* Fabricius (1803¹) adopted Jurine's genus for the same two species and others.

Spinola (1808, *Insect. Liguriae*, v. 2 p. 97 & 101) indicated that what Fabricius meant by *desertor* was different from the Linnaean *desertor*, and renamed the latter species (although it had priority) *deflagrator*. Subsequent authors have accepted this distinction, but by reason of the fact that they have all placed the Fabrician species in a different genus from the Linnaean, they have used the name *desertor* for each. Bradley, however, (1919) has renamed the Fabrician species *desectus*.

Overlooking the "Erlangen List," authors have ascribed the genus *Bracon* to Fabricius, 1803,¹ instead of to Jurine, 1801.

In including *desertor* in *Bracon*, Fabricius cites *Ichneumon desertor* of Linnaeus. It follows² that the Linnaean species and not what Fabricius actually had before him is the included species, and Curtis (1829, *Brit. Ent.* 2, Expl. pl. 69) definitely cites it, *Ichneumon desertor* Linnaeus, as type of *Bracon*. This species is therefore type regardless of whether we ascribe *Bracon* to Fabr., 1803,¹ or Jurine, 1801.

¹ Fabricius's *Syst. Piezat.* was probably published in the early part of 1805 but may have been published at the end of 1804. It was not published as early as 1803 (see Griffin, 1935, in Richards, *Trans. R. ent. Soc. Lond.* 83 : 144). It should be dated 1804–1805, the date being cited in square brackets.

² This deduction is subject to certain qualifications. See *Opinions* 65 and 168.

But all authors for three fourths of a century, until 1914, have used *Bracon* in a sense as though another originally included species, *Bracon minutator* were type, and this was (incorrectly) designated type by Foerster, 1862. In this sense it has been used for the name of an enormous and abundant genus of parasitic Hymenoptera, and as type of the subfamily BRACONINAE and the great family BRACONIDAE.

Viereck (1914) pointed out that *desertor* L., the true type of *Bracon*, is type of the genus *Cremnops* which belongs to a different subfamily. The subfamily name BRACONINAE has accordingly been transferred by some writers from its accustomed sense to the group that is ordinarily termed AGATHINAE or AGATHIDINAE. Correspondingly the name VIPIONINAE has been applied to the subfamily previously known as BRACONINAE (see Bradley, 1919, p. 57), raised by Viereck (1916) to the rank of a family.

In view of the confusion resulting from the transfer of names among these common, well-known genera, one of them of enormous size, and in view of the fact that important subfamily names are involved (and according to Viereck, 1916, family names), the undersigned respectfully request the International Commission on Zoological Nomenclature to take such action as it may see fit to relieve the situation, recommending the following:—

- (1) to suspend the rules in the case of the genus *Bracon*;
- (2) to permanently reject the genus *Bracon* Jurine, 1801, type *Ichneumon desertor* Linnaeus; and all type designations of *desertor* Linnaeus or of *desertor* Fabr. as type of *Bracon* Fabr.;
- (3) to validate *Bracon* Fabr., 1803,¹ and the designation by Foerster, 1862, of *Bracon minutator* Fabr. as its type;
- (4) to place on the *Official List of Generic Names Bracon* Fabr., 1803,¹ type *Bracon minutator* Fabr., for the genus of parasitic wasps ordinarily known by that name.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission:—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	M. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiý
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	E. Kruger †
W. M. Mann	F. Roth	W. Hellen †
R. Friese	E. Enslin	F. X. Williams †
H. von Ihering †	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznev-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balduf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the Committee decided to frame its recommendations to the International Commission on Zoological Nomenclature on the following basis: (i) it was highly desirable that the plenary powers should be used to prevent a transfer of the genus *Bracon* Fabricius from its present position to an entirely different subfamily; (ii) the most convenient course to secure this end would be for the Commission, acting under their plenary powers, to designate *Ichneumon minutator* Fabricius as the type of *Bracon* Fabricius; (iii) if, as the International Committee had already decided to recommend, the "Erlangen List" was suppressed by the International Commission under their plenary powers, no other action would be required, but, if the Commission could not see their way to adopt that recommendation, it would be necessary for them to suppress *Bracon* Jurine, 1801 (Erlangen List) in order to validate *Bracon* Fabricius, [1804-1805].

5. These and other resolutions adopted by the International Committee at its meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had

not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Bracon Fabricius*, [1804-1805], was among the cases in question and was accordingly dealt with under the above procedure.

7. At the same meeting as that referred to above (Lisbon Session, 2nd Meeting, Conclusion 13), the International Commission unanimously agreed to use the plenary powers conferred upon them by the Ninth International Congress of Zoology at Monaco in 1913, in order to suppress the "Erlangen List."³ When, therefore, at their meeting held on the afternoon of the same day the Commission came to consider the present case, they found that there was no need to make use of their plenary powers to validate *Bracon Fabricius*, [1804-1805], since the earlier name *Bracon Jurine*, 1801, had ceased to be available on the suppression of the "Erlangen List." After careful consideration, the Commission came to the conclusion that, in view of the circumstances set out in the petition, the name *Bracon Fabricius* presented one of the "transfer" problems of the kind specifically contemplated in Article 3 of the "Plenary Powers" Resolution adopted by the Ninth International Congress of Zoology at Monaco in 1913.⁴ Further, the Commission were unanimously of the opinion that

³ See *Opinion 135* (1939, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 2: 7-12*).

⁴ For the text of the Resolution adopted by the Ninth International Congress of Zoology at Monaco in 1913, see *Declaration 5* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1: 31-40*).

the strict application of the rules as applied to the name *Bracon* Fabricius would clearly result in greater confusion than uniformity. Having thus decided in principle that the proper course in this case was to make use of their plenary powers, the Commission discussed how best those powers could be used to meet the requirements of the present case. After a full discussion, the Commission reached the conclusion that the most satisfactory procedure would be to set aside all existing type designations for this genus and to designate *Ichneumon minutator* Fabricius as its type. The Commission accordingly agreed (Lisbon Session, 3rd Meeting, Conclusion 2) ⁵ :—

- (c) under "suspension of the rules" to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below :—

Name of genus	Type of genus
(26) <i>Bracon</i> Fabricius, [1804–1805], <i>Syst. Piezat.</i> : 102	<i>Ichneumon minutator</i> Fabricius, 1798, <i>Suppl. Ent. syst.</i> : 225

- (d) under "suspension of the rules" to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated ;
 (e) to render *Opinions* in the sense of (a) to (d) above.

8. The foregoing decision was embodied in paragraph 27 of the report⁶ which at their meeting held on Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology.

9. At the same meeting⁷ the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10) that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements, and to take such other action, as might appear to them to be necessary or expedient :—

- (i) to establish the Secretariat of the Commission at its new headquarters ;
 (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission ;

⁵ Only those portions of Conclusion 2 of the 2nd Meeting of the Lisbon Session, which relate to the present case, are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* 1 : 27–30.

⁶ See 1943, *Bull. zool. Nomencl.* 1 : 59–60.

⁷ See 1943, *Bull. zool. Nomencl.* 1 : 48.

- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session ;
- (iv) to obtain the finance required for the due functioning of the Commission ; and generally
- (v) to secure the effective continuance of the work of the Commission.

10. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

11. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁸ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules for *Bracon* Fabricius, one communication only has been addressed to the Commission raising objection to the suspension of the rules in this case. This communication, which was dated 1st March 1937, and bore the signature of Dr. S. A. Rohwer, was addressed to the Commission in the name of the Committee on Nomenclature of the Entomological Society of Washington.

12. The passage in the document received from the Committee on Nomenclature of the Entomological Society of Washington relating to the present case reads as follows :—

THE CASE OF *BRACON* F., 1804⁹

Bracon was first published by Jurine, 1801, in the so-called Erlangen List,¹⁰ with two included species, *Ichneumon desertor* L. and *I. denigrator* L. Fabricius, 1804,⁹ used the name *Bracon* for those two species and added

⁸ See footnote 4.

⁹ For the correct date of this name, see footnote 1.

¹⁰ For the suppression of the "Erlangen List," see *Opinion 135* (1939, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 7-12).

several more, including *minutator* F. The first valid type designation was by Curtis, 1825 (*Brit. Ent.* 2, Exp. pl. 69), who named *desertor* L. type of *Bracon*. The suppression of the "Erlangen List," which we have recommended,¹⁰ will not, therefore, affect this case.

Until it was shown by Viereck, 1914 (*Bull.* 83, *U.S. Nat. Mus.*) that the true *desertor* L. is also the type of *Cremonops* Foerster, 1862, the name *Bracon* was generally misapplied. By reason of this information it became necessary to transfer *Bracon*, and the subfamily name BRACONINAE, from the cyclostomine groups of BRACONIDAE, to which they had been applied, to the subfamily previously known as the AGATHININAE; and through isogenotypy *Cremonops* became a synonym of *Bracon*.

Foerster, 1862 (*Verh. Naturh. Ver. preuss. Rheinl.*, vol. 19, p. 235) either disregarded or overlooked the previous type fixation by Curtis and named *B. minutator* F. type of *Bracon*. This species is congeneric with *Microbracon sulcifrons* Ashm., type of the monobasic genus *Microbracon* Ashm., 1900. The literature of the past twenty years treating this group under the name *Microbracon* has been rather extensive, this name having been employed much more consistently in this proper sense than has *Bracon* in the correct sense of *Cremonops*. Certain specialists in BRACONIDAE, while correctly using *Microbracon* for *Bracon* in the Foersterian concept, are at the same time employing *Cremonops* instead of *Bracon* for the genus typified by *Ichneumon desertor* L., thus not recognizing any group under the name *Bracon*, the type genus of the family.

It cannot be maintained that placement of *Bracon* F., with *minutator* F. as type, on the *Official List of Generic Names* will avoid or lessen confusion arising from the long-continued misapplication of *Bracon*. We insist, on the contrary, that greater confusion would result from such action. *Microbracon* is being correctly employed by most of the active workers in the BRACONIDAE for the group to which *minutator* belongs. Using the name *Bracon* in the sense demanded by the Rules Morrison, 1917 (*Proc. U.S. Nat. Mus.* v. 52 : 305-343) published a revision of the North American species of this genus. Likewise following the dictates of the Code, Muesebeck, 1925 (*Proc. U.S. Nat. Mus.* v. 67, Art. 8, pp. 1-85) revised the large group of N. American species belonging to *Microbracon* and in 1927 (*Proc. U.S. Nat. Mus.* vol. 69, Art. 16, pp. 1-73) published a revision of the subfamily BRACONINAE. Countless determinations of specimens have been made on this basis and the records published in numerous lists and in biological and other papers in all parts of the world. Undoubtedly more critical taxonomic work has been conducted in these groups during the past twenty years, under a nomenclature entirely in accord with the Rules, than in any similar period. To overturn this nomenclature now, as has been proposed, would throw all this work into serious confusion. We respectfully urge, therefore, that, in the interest of stability, the Commission refuse to suspend the Rules in the case of *Bracon* F.

13. Immediately upon its receipt by the Commission, copies of the document from which the passage quoted in paragraph 12 above has been extracted were communicated (April 1937) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the objections raised in the document quoted in paragraph 12.

14. The only other communication received by the International Commission on this subject is a letter (dated 11th June 1939) from Dr. O. W. Richards (London), in which he expressed the following view :—

In itself there would probably be no hardship in using *Microbracon*, though it means changing the name of a large subfamily. I think there would be grave disadvantages however in transferring the generic name *Bracon* and the subfamily name to another subfamily in the group. I think the best courses are either :—

- (a) adopt *Microbracon* for *Bracon* auct. and *Cremnops* for *Bracon* Fab. and make *Bracon* Fab. a synonym of *Cremnops* by suspension of the rules; or
- (b) suspend the rules completely, i.e. *Bracon* Fab. = *Bracon* auct. = *Microbracon*; or
- (c) definitely less desirable, uphold the rules entirely.

15. The representations set out in paragraph 12 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held at Lisbon on 18th September 1935 (for the text of which see paragraph 9 above). The Plenary Conference (Plenary Conference, 1st Meeting, Conclusion 9)¹¹ :—

-
- (b) examined the communications that had been received during the prescribed period in regard to the undermentioned names :—

-
- (iv) *Bracon* Fabricius, [1804-1805]
from the Committee on Nomenclature of the Entomological Society of Washington

-
- (c) took note that, although copies of the communications referred to in (b) above had been transmitted to each member of the Commission immediately after their receipt, no member of the Commission had expressed himself as being in agreement with any of the representations contained therein;
- (d) agreed that the communications referred to in (b) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year;
- (e) agreed that, in view of (c) and (d) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decisions in this matter reached by the International Commission at their Lisbon Session (3rd Meeting, Conclusion 2) and therefore that *Opinions* should be issued as soon as possible in the sense indicated in paragraph 27 of the report submitted by them to the Twelfth International Congress of Zoology and approved and adopted by that Congress at the Concilium Plenum held at Lisbon on 21st September 1935.

¹¹ Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, see 1943, *Bull. zool. Nomencl.* 1 : 76-77.

16. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

17. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

18. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

19. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Two (*Opinion* 162) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this first day of June, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above ; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944. Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-35, containing *Declarations* 10-12 and *Opinions* 134-165, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-5 (containing *Opinions* 182-186) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

Ref.

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 33. Pp. 335-346.

OPINION 163

Suspension of the rules for *Euploea* Fabricius,
1807 (Class Insecta, Order Lepidoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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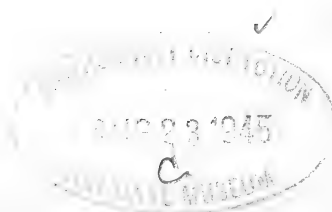
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OPINION 163.

SUSPENSION OF THE RULES FOR *EUPLOEA* FABRICIUS,
1807 (CLASS INSECTA, ORDER LEPIDOPTERA).

SUMMARY.—Under suspension of the rules *Papilio corus* Fabricius, 1793, is hereby designated as the type of *Euploea* Fabricius, 1807 (Class Insecta, Order Lepidoptera). The name *Euploea* Fabricius, with the type indicated above, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 611.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 24th October 1934, in which Commissioner Francis Hemming and Mr. N. D. Riley, Keeper of the Department of Entomology, British Museum (Natural History), jointly invited the Commission to render *Opinions* in regard to this, and certain other, generic names in the Order Lepidoptera (Class Insecta). The passage in that letter relating to the name *Euploea* Fabricius reads as follows :—

We recommend that the following names should be added by the International Commission to the *Official List of Generic Names*. Our reasons for so recommending are fully set out in the statements, the terms of which we have jointly agreed, contained in Hemming's *Generic Names of the Holarctic Butterflies* on the pages noted below :—

Euploea Fab., 1807 (Hemming, *loc. cit.*, 1 : 23-25)

.....

2. The following is an extract, from the work referred to above, of the passage relating to this genus :—

EUPLOEA Fabricius

- Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 280
Crotch, 1872, *Cistula ent.* 1 : 66
Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 172
Butler, 1878, *J. linn. Soc. Lond. (Zool.)* 14 : 291
Moore, 1883, *Proc. zool. Soc. London* 1883 : 288
Hampson, 1918, *Novit. Zool.*, Tring 25 : 385

TYPE : *Papilio corus* Fab., 1793

Fabricius said that there were thirty-two species in this genus and mentioned three by name, viz. *plexippus* Linn., *similis* Linn. and *corus* Fab. Crotch's selection of *eunice* God. as the type is invalid, as that is not one of

the Fabrician species. The type was validly fixed by Scudder as *similis* Linn. In 1878 Butler selected as the type *core* Cram., 1780, but quite apart from Scudder's earlier selection of *similis* Linn., this selection by Butler would have been invalid, as *core* Cram. is not one of the three species originally given by Fabricius, though Butler thought that it was, as he wrongly considered that *corus* Fab. (one of the original species) was a synonym of *core* Cram. In 1883, Moore rectified this misidentification and selected *corus* Fab. as the type. This selection falls to the ground, as does that by Hampson in 1918 of *plexippus* Linn., in view of Scudder's earlier selection of *similis* Linn.

Thus, under a strict interpretation of the International Code, the name *Euploea* Fab., though nomenclatorially valid, is not required, as it is a synonym of *Danaus* Kluk, 1802, the types of the two genera (*similis* Linn. and *plexippus* Linn.) being congeneric. The species hitherto referred to *Euploea* Fab. would require to be transferred to *Trepsichrois* Hübn. It is difficult to imagine a more unsatisfactory result or one less acceptable to lepidopterists generally. The genus *Euploea* Fab., as usually understood (i.e. the generic name of *corus* Fab. and its allies) is one of the largest and best known of all the genera of Rhopalocera. The immense majority of the species concerned, some 150 in number, was originally described as belonging to the genus *Euploea* Fab., and an enormous literature has grown up around this name. To upset all this for the sake of maintaining the fixation, as type, of *similis* Linn. by Scudder in 1875, in preference to the selection of *corus* Fab. by Moore in 1883, would, in my view, serve no useful purpose whatever, I should, indeed, regard it as a definitely retrograde step.

The position is, therefore, that a strict application of the International Code would :—

- (a) sink *Euploea* Fab. as a synonym of *Danaus* Kluk, a genus with which the name has hardly ever been associated, although in 1875 Scudder unfortunately selected a Danaine (*Papilio similis* Linn., 1758) as its type; and
- (b) deprive *Papilio corus* Fab., 1793, and its very numerous congeners of the generic name *Euploea* Fab., by which they have almost universally been known since its establishment by Fabricius in 1807 and under which the great majority were first described.

I am of the opinion :—

- (i) that it would be highly undesirable to disturb the universally accepted use of the name *Euploea* Fab., 1807, for *Papilio corus* Fab., 1793, and its congeners, by transferring them to the genus *Trepsichrois* Hübn., 1816; and
- (ii) that the strict application of the rules of the International Code in this case would clearly result in greater confusion than uniformity.

3. In the work from which the foregoing is an extract, Commissioner Hemming went on to say that, jointly with Mr. N. D. Riley, he was submitting to the International Commission on Zoological Nomenclature a recommendation that, in the exercise of the plenary power conferred upon them by the International Zoological Congress, the Commission should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect :—

The name *Euploea* Fab., 1807, is hereby added to the *Official List of Generic Names*. In view of the sense in which this name has been almost universally used ever since its publication by Fabricius, the type of *Euploea* Fab. shall be deemed to be *Papilio corus* Fab., 1793, which was specified as such by Moore in 1883 (*Proc. zool. Soc. London* 1883 : 288), notwithstanding the earlier selection of *Papilio similis* Linn., 1758, by Scudder in 1875 (*Proc. Amer. Acad. Arts Sci.*, Boston 10 : 172).

4. Commissioner Hemming added that he was so impressed with the importance of this matter that he had thought it desirable in the work from which the above passages have been extracted to anticipate what he hoped would be the decision of the International Commission. He therefore treated *Papilio corus* Fabricius, 1793, as the type of *Euploea* Fabricius, 1807.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

5. As a first step the Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the Committee agreed to recommend that the International Commission on Zoological Nomenclature should take such action under their plenary powers as might be necessary to secure that the type of *Euploea* Fabricius, 1807, should be *Papilio corus* Fabricius, 1793.

6. This, and other, recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

7. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other

causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the name *Euploea* Fabricius, 1807, was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

8. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22¹), when it was agreed:—

- (a) to "suspend the rules" in the case of the following generic names:—
 - (i) *Euploea* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 280
- (b) to declare that the type of *Euploea* Fabricius, 1807, is *Papilio corus* Fabricius, 1793, *Ent. syst.* 3 (1) : 41;
 - (i) to add the generic names *Euploea* Fabricius, 1807. . . . to the *Official List of Generic Names*, with the types indicated above;
 - (l) to render *Opinions* in the sense of (a) to (l) above.

9. The foregoing decisions were embodied in paragraph 28 of the report² which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the

¹ Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20-23.

² See 1943, *Bull. zool. Nomencl.* 1 : 60-61.

Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

10. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 7 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.³ In the period that has elapsed since the advertisement in the said journals of the possible suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

11. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

12. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion or represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

13. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

³ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

14. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held in Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held in Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Three (*Opinion* 163) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this tenth day of June, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 34. Pp. 347-358.

OPINION 164

On the principles to be observed in interpreting
Article 30 of the International Code in relation
to the types of genera when two or more genera
are united on taxonomic grounds

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price three shillings

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Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

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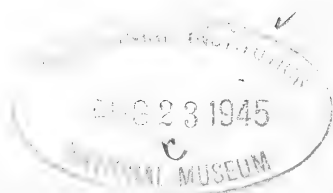
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Publications Office of the Commission :

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Personal address of the Secretary :

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Ref.

OPINION 164.

ON THE PRINCIPLES TO BE OBSERVED IN INTERPRETING ARTICLE 30 OF THE INTERNATIONAL CODE IN RELATION TO THE TYPES OF GENERA WHEN TWO OR MORE GENERA ARE UNITED ON TAXONOMIC GROUNDS.

SUMMARY.—The following principles are to be observed in interpreting Article 30 of the International Code in relation to the types of genera when two or more genera are united on taxonomic grounds :—(1) When two or more genera are united on taxonomic grounds, such action in no way affects the types of the genera concerned ; (2) the broader genus thus formed takes as its name the oldest available name based on any included species ; (3) the genus bearing that name retains as its type the species previously so established.

I.—THE STATEMENT OF THE CASE.

On 27th February 1934, Dr. Thomas Mortensen (Universitetets Zoologiske Museum, Copenhagen) addressed a communication to the International Commission on Zoological Nomenclature asking for an *Opinion* regarding the type of the genus *Tromikosoma* Mortensen, 1903 (*Dan. Ingolf-Exped.* 4: 62, 64) (Class Echinoidea). In his covering letter Dr. Mortensen wrote :—

By the present I beg to submit to the International Commission on Zoological Nomenclature a little matter which I do not find covered by any of the rules or *Opinions*. It is not of great importance, but I think that it would be worth while to have it made the object of an *Opinion*, which would cover similar cases in the future.

2. The portion of Dr. Mortensen's petition relating to the type of *Tromikosoma* Mortensen has since been dealt with by the Commission in *Opinion* 131, where the text of his petition is given in full. As the present *Opinion* is concerned only with the general principle involved in that petition, only those parts of Dr. Mortensen's petition that relate to that principle are reproduced on this occasion. The extracts in question are the following :—

Pomel in his paper "*Classification méthodique et Genera des Echinides vivants et fossiles*," 1883, p. 108, established a genus *Echinisoma*, naming the species *Phormosoma uranus* A. Agassiz and *Phormosoma tenuis* A.

Agassiz as belonging to that genus, without designating any of them as the genotype.

In my work *Echinoidea I. The Danish Ingolf Expedition*. Vol. IV. 1. 1903, p. 62, I adopted the said genus of Pomel, referring to it the same two species as did Pomel, but no genotype was designated. In the same work I established the genus *Tromikosoma*, with the single species *Tromikosoma koehleri* n.sp., which is accordingly the genotype of that genus.

A. Agassiz and H. L. Clark, in their work "*Hawaiian and other Pacific Echini*" . . . designate *Phormosoma tenue* A. Agassiz as the genotype of *Echinosoma*, which is made to include also my genus *Tromikosoma*—which I agree to be correct.

The name *Echinosoma*, however, was preoccupied, no less than three times: . . . Accordingly, it cannot be used for the Echinoids, and the name *Tromikosoma* must take its place.

3. The particular question submitted by Dr. Mortensen was therefore whether *Phormosoma tenue* Agassiz (the type of the nomenclatorially unavailable *Echinosoma* Pomel) or *Tromikosoma koehleri* Mortensen (the type of *Tromikosoma* Mortensen) should be regarded as the type of the genus *Tromikosoma* Mortensen now that on taxonomic grounds the genus with the earlier but nomenclatorially unavailable name *Echinosoma* Pomel was united therewith. The question of principle involved in Dr. Mortensen's petition concerned the identity of a genus comprising two or more genera united with one another on taxonomic grounds. Was the type of the combined genus the species designated as the type of the genus so united which possessed the oldest available generic name or was it the species designated as the type of the genus so united which possessed the oldest name even if that name was unavailable nomenclatorially?

II.—THE SUBSEQUENT HISTORY OF THIS CASE.

4. Dr. Mortensen's petition was communicated to the members of the Commission in April 1934 with a request for their views. In his covering note, Dr. Stiles expressed his own view of the matter as follows:—

The Secretary sees no difficulty whatever in this case, namely *koehleri* is the type species of *Tromikosoma*, and this point is not influenced by any restriction or by any broadening of the generic concept.

5. In February 1935 Dr. Stiles furnished to the Commission a summary of the replies received to this inquiry:—

- (a) Eight Commissioners (Apstein, Chapman, Fantham,¹ Jordan, Peters, Silvestri, Stiles, and Stone) had expressed themselves as of the view

¹ Through some oversight, Dr. Stiles omitted Dr. Fantham's name from this list and included that of Dr. Bather, who had died (on 20th March 1934) prior to the issue of the questionnaire.

that *Tromikosoma koehleri* remained the type of *Tromikosoma* Mortensen, 1903, after the incorporation in that genus of the genus possessing the (older but nomenclatorially unavailable) name *Echinosome* Pomel, 1883.

- (b) One Commissioner (Pellegrin) had taken the opposite view but had given no reasons for so doing.

6. At some date subsequent to the preparation of the report summarised above, Commissioner Ishikawa also replied that he considered that, in the circumstances set out in the premises, the type of *Tromikosoma* Mortensen became *Phormosoma tenue* Agassiz, but he added a note in which he explained that he took this view because "the older name has the right of priority in the present case where the names *koehleri* and *tenue* are used for one and the same species." In giving this vote, Commissioner Ishikawa expressed, therefore, no opinion on the question of principle raised by Dr. Mortensen.

7. In the light of this preliminary exchange of views, Dr. Stiles invited the Commission to give a formal vote on a draft *Opinion*, the "summary" of which was confined to the statement that "The type of *Tromikosoma* Mortensen, 1903, is *koehleri*." In the following month (March 1935) Dr. Stiles included the case raised by Dr. Mortensen among those which he suggested should be considered by the International Commission when it met at Lisbon later that year.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

8. The case submitted by Dr. Mortensen was considered by the International Commission at their meeting held at Lisbon on Tuesday, 17th September 1935. On the general question involved, the Commission agreed (Lisbon Session, 4th Meeting, Conclusion 8)² :—

- (a) that, when two or more genera are united on taxonomic grounds, such action in no way affects the types of the genera concerned; that the broader genus thus formed takes as its name the oldest available name based on any included species; and that the genus bearing that name retains as its type the species previously so established;

-
(c) to render *Opinions* in the sense of (a) and (b) above.

² Only those portions of Conclusion 8 which relate to the question dealt with in the present *Opinion* are here quoted. The remaining portion deals with the type of *Tromikosoma* Mortensen, for which see *Opinion* 131. For the full text of Conclusion 8, see 1943, *Bull. zool. Nomencl.* 1 : 35-36.

9. Later in the same meeting as that referred to above (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a) (iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same way, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in the report.

10. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the

procedure agreed upon by the Commission as set out in paragraph 9 above.

11. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

12. The present *Opinion* was dissented from by no Commissioner or Alternate at the Lisbon Session.

13. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

14. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—THE AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held at Lisbon in September 1935;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Four (*Opinion* 164) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twelfth day of June, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
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FRANCIS HEMMING

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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 35. Pp. 359-374.

OPINION 165

Need for the suspension of the rules for *Strymon*
Hübner, 1818 (Class Insecta, Order Lepido-
ptera) not established

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission

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1945

Price four shillings

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Ref.

OPINION 165.

NEED FOR THE SUSPENSION OF THE RULES FOR *STRYMON HÜBNER*, 1818 (CLASS INSECTA, ORDER LEPIDOPTERA) NOT ESTABLISHED.

SUMMARY.—The need for the suspension of the rules for *Strymon Hübner*, 1818 (type : *Strymon melinus* Hübner, 1818) (Class Insecta, Order Lepidoptera) is not established.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 23rd February 1934, in which the Council of the Royal Entomological Society of London drew attention to the conclusions reached by the Lepidoptera Sub-Committee¹ of the Society's Committee on Generic Nomenclature,² regarding the generic names of certain of the British Lepidoptera, in regard to which both the Lepidoptera Sub-Committee and the Committee on Generic Nomenclature were of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity. The Society enclosed a copy of the Report of the Lepidoptera Sub-Committee (published that day as Part 2 of the *Generic Names of British Insects*) to which was attached a paper by Commissioner Francis Hemming, in which was given a full statement in regard to each of the names in question. One of these names was *Strymon Hübner*, 1818 (*Zutr. z. Samml. exot. Schmett.* 1 : 22).

2. The following is an extract from the paper referred to above of the passage relating to this genus :—

STRYMON Hübner

Hübner, 1818, *Zuträge z. Samml. exot. Schmett.* 1 : 22

Riley, 1922, *J. Bombay nat. Hist. Soc.* 28 : 472

Type (fixed by Riley) = *Strymon melinus* Hüb., 1818

On a strict application of the rules in the International Code of Zoological Nomenclature the name *Bithys* Hüb., 1818, should take precedence of *Strymon* Hüb. Nomenclatorially both *Strymon* Hüb. and *Bithys* Hüb.

¹ This Sub-Committee was then composed as follows :—Mr. Francis Hemming (*Chairman*), Mr. N. D. Riley, and Mr. W. H. T. Tams.

² This Committee was then composed as follows :—Sir Guy Marshall (*Chairman*), Dr. K. G. Blair, Mr. Francis Hemming, Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Secretary*).

are valid names, but one must sink as a synonym of the other, as their respective types (*Strymon melinus* Hübn. and *Bithys leucophaeus* Hübn.) are congeneric³ or at least must be regarded as being so, until the very large group of species at present assigned to *Strymon* Hübn. is next revised. Both names were published simultaneously by Hübner in the same work (vol. 1 of his *Zuträge z. Samml. exot. Schmett.*). The name *Bithys* Hübn. was published on page 18 and the name *Strymon* Hübn. on page 22. Thus on the principle of page priority, *Strymon* Hübn. should (at any rate for the present) fall to *Bithys* Hübn.

There are, however, very strong reasons against such an arrangement. The name *Strymon* Hübn. has been applied without challenge to *melinus* Hübn. and its numerous allies for many years. These species have, in fact, been so called both by European and American systematists ever since it was realised that they could not be called (as they were in earlier days) by the name *Thecla* Fab. On the other hand, the name *Bithys* Hübn. has been very little used at any time, and when it has been used, it has usually been employed for species of the other large group of "hairstreaks" (*Papilio quercus* Linn., 1758, etc.) which properly belong to the genus *Thecla* Fab.

3. The paper from which the foregoing passage is an extract concluded with the hope that the Lepidoptera Sub-Committee would join in reporting to the Committee on Generic Nomenclature of the Royal Entomological Society of London that it was highly desirable that in the exercise of the plenary powers conferred upon them by the International Zoological Congress, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect:—

The name *Strymon* Hübn., 1818 (type *Strymon melinus* Hübn., 1818) is hereby added to the *Official List of Generic Names*. The name *Bithys* Hübn., 1818, is, therefore, not to be substituted for *Strymon* Hübn., 1818, on the ground that it has page priority over that name, though it is available for use for *Bithys leucophaeus* Hübn., 1818, by such systematists as may regard that species as generically distinct from *Strymon melinus* Hübn.

4. The foregoing conclusions were concurred in by the Lepidoptera Sub-Committee, by whom they were submitted to the Committee on Generic Nomenclature. The latter body endorsed the view of the Sub-Committee and recommended the Council of the Society to approach the International Commission in the sense indicated. It was in accordance with this recommendation that the Council addressed to the Commission the letter referred to in paragraph 1 above.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

5. Before the International Commission had time to take any action on this case, they received a letter on the same subject

³ For a supplementary note on this question, see paragraph 7 below.

(dated 17th May 1934) from Dr. J. McDunnough, Chief of the Division of Systematic Entomology, Entomological Branch, Department of Agriculture, Ottawa, from which the following is an extract :—

I am enclosing signed copies of a short note which is appearing in the current number of the "Canadian Entomologist." You will see by this that the *large majority* of active systematic Lepidopterists advocate the fixing of certain genotypes for the four genera mentioned in the note and I am sure also that the large proportion of continental entomologists are in favour of such procedure. . . .

The following is an extract from the note referred to above :—

ON THE STABILIZING OF FOUR GENERIC NAMES*
(Lepid. Rhopalocera)

To students of the involved generic nomenclature of the Palaearctic and Nearctic Diurnal Lepidoptera, the recent publication of the "Generic Names of British Rhopalocera" will prove of great interest. This pamphlet has been prepared by Mr. Francis Hemming at the request of the Royal Entomological Society of London, and includes full details regarding type fixation and synonymy. Appended to the list is the first report of the Lepidoptera Sub-Committee to the main committee, and following Mr. Hemming's suggestions, the suspension of the Law of Priority in four cases is advocated by this sub-committee, the ground being that strict application of the rules would cause serious, and quite unnecessary, disturbance in existing practice.

The genera involved, with their proposed genotypes, are as follows :—
. . . ; *Strymon* Hbn. (*S. melinus* Hbn.); . . .

Welcoming any action that would assist in stabilizing generic nomenclature, the undersigned lepidopterists express their full agreement with the recommendations of the above sub-committee and would urge the adoption of this report.

J. McDunnough, Entom. Br., Dept. of Agriculture, Ottawa, Canada.
May 15, 1934.

Jessie D. Gunder, 310 Linda Vista Ave., Pasadena, Calif. Apr. 13, 1934.

John A. Comstock, Los Angeles Museum, Exposition Park, Los Angeles, Calif. Apr. 26, 1934.

Wm. T. M. Forbes, Dept. of Entomology, Cornell U., Ithaca, N.Y. April 17, 1934.

Roswell C. Williams, Jr., Acad. Nat. Sciences, 19th & Race Sts., Philadelphia, Pa. Apr. 17, 1934.

E. Irving Huntington, 115 East 90th St., New York, N.Y. April 21, 1934.

Cyril F. dos Passos, Washington Corners, Mendham, N.J. Apr. 23, 1934.

Frank E. Watson, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.

C. H. Curran, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.

Ernest Bell, 150-17 Roosevelt Ave., Flushing, N.Y. Apr. 24, 1934.

Alyach B. Klots, College of the City of New York, Dept. of Biology. Apr. 24, 1934.

6. As a first step the International Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth

International Congress of Entomology. During the preliminary discussion of this case, it was apparent that the International Committee were in sympathy with the objects sought by the petitioners in this case. At the same time attention was drawn to the statement in the petition that the genus *Strymon* Hübner, 1818, was overdue for revision. That genus as at that time understood would certainly be divided into a number of genera and there was therefore no longer any ground for fearing that on a strict application of the rules it would be necessary to substitute the name *Bithys* Hübner, 1818, for *Strymon* Hübner as the generic name for the very large assemblage of species at present assigned to the last-named genus. In these circumstances, was there any need to ask the International Commission on Zoological Nomenclature to render an *Opinion* in the terms proposed in the petition? Commissioner Francis Hemming, who was present at this discussion as a member of the International Committee, indicated that for the reasons that had been advanced he no longer desired to press his original proposal, and at the request of the Committee he undertook to prepare a supplementary note setting out the grounds on which he had reached this conclusion.

7. The following is the text of the supplementary note on this case prepared by Commissioner Hemming during the Madrid meeting for the consideration of the International Committee on Entomological Nomenclature:—

THE CASE OF THE NAMES *BITHYS* HÜBNER, 1818, AND
STRYMON HÜBNER, 1818 (Lepidoptera LYCAENIDAE)

Supplementary statement prepared by Commissioner Francis Hemming for submission to the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935

- (1) In accordance with the request of the International Committee on Entomological Nomenclature I submit herewith for their consideration the following note on the names *Bithys* Hübner, 1818, and *Strymon* Hübner, 1818 (Order Lepidoptera, Family LYCAENIDAE). This note is in continuation of the petition submitted in 1934 and the proposals now submitted are in substitution for those submitted on that occasion.
- (2) The relevant considerations in this case are the following:—
 - (a) The names *Bithys* Hübner, 1818 (type: *Bithys leucophaeus* Hübner, 1818) and *Strymon* Hübner, 1818 (type: *Strymon melinus* Hübner, 1818) were published by Hübner in 1818 in the same work (vol. 1 of the *Zutr. z. Samml. exot. Schmett.*).
 - (b) The name *Bithys* Hübner was published on page 18 and the name *Strymon* on page 22.
 - (c) On the principle of page precedence the name *Bithys* Hübner therefore has priority over the name *Strymon* Hübner.

- (d) The types of these two genera are today commonly regarded as being congeneric both with one another and with the Palaeartic species of this group represented in the British fauna (i.e. *Papilio pruni* Linnaeus, 1758, and *Papilio w-album* Knoch, 1782).
- (3) For the reasons explained in the petition submitted in 1934, there would be very strong objections to the substitution of the name *Bithys* Hübner for *Strymon* Hübner as the generic name for the very large number of species at present assigned to the genus *Strymon* Hübner. If no other way of avoiding such a substitution were available, it would certainly be highly desirable that the International Commission on Zoological Nomenclature should make use of their plenary powers to secure that end.
- (4) The genus *Strymon* Hübner, as at present understood, contains many highly diverse species and—as pointed out in the petition of 1934—is overdue for generic revision.
- (5) There is no doubt that as the result of any such revision it would be necessary to separate generically the large group of Neotropical species from those found in the Nearctic and Palaeartic Regions and it is likely that it would be necessary in turn to separate the Palaeartic species from the Nearctic species or at least from most of them.
- (6) It follows therefore that, when the genus *Strymon* Hübner is revised, it will be found :—
- (i) that in view of the fact that its type (*Bithys leucophaeus* Hübner) is confined to the Neotropical Region, the name *Bithys* Hübner (as the oldest nomenclatorially available name) will become the name of a Neotropical genus of LYCAENIDAE and as such will cease to be of direct concern to students of the species of this family occurring in the Nearctic and Palaeartic Regions;
 - (ii) that in view of the fact that its type is *Strymon melinus* Hübner, the name *Strymon* Hübner will become the oldest nomenclatorially available name for some at least of the Nearctic species involved; and it is likely that it will be found :—
 - (iii) that the Palaeartic species are not congeneric with *Strymon melinus* Hübner and therefore that the name *Strymon* Hübner will cease to be of direct concern to students of the Palaeartic species of this group.
- (7) In these circumstances the meaning to be attached to the name *Bithys* Hübner has no longer any bearing on the nomenclature of the Palaeartic species at present assigned to the genus *Strymon* Hübner. From this point of view, therefore, the grounds on which the petition submitted to the International Commission on Zoological Nomenclature in 1934 was based have lost their force.
- (8) Accordingly, I no longer consider that from the foregoing point of view it is necessary that the International Commission should render an *Opinion* in order to ensure that the name *Bithys* Hübner is not substituted for the name *Strymon* Hübner.
- (9) There remains the question whether in view of past usage the employment of the name *Bithys* Hübner as the generic name for a group of Neotropical LYCAENIDAE would be likely to result in greater confusion than uniformity. Personally, I should expect this to be the result of such a transfer. I agree however that this question can conveniently be deferred for consideration until it is possible to judge the size and importance of the genus *Bithys* Hübner when that name is applied in the sense required by the rules. I hope, however, that, if the International Commission decide to take no action on the petition of 1934, they will at the same time make it clear that the

door is left open for the submission of a revised petition in regard to the name *Bithys* Hübner when the position of that genus is more clearly understood.

- (10) I have discussed this problem with Mr. Riley⁴ and other lepidopterists now present in Madrid and with Professor James Chester Bradley who is in possession of the views on this subject of representative lepidopterists in the United States. All whom I have consulted are in agreement with the conclusions set out above.

8. On further consideration of this case, the International Committee on Entomological Nomenclature agreed to recommend the International Commission on Zoological Nomenclature to render an *Opinion* declaring that the need for the suspension of the rules for *Strymon* Hübner had not been established, but that it was desirable that the way should be left open for further consideration of the case of *Bithys* Hübner at a later date when fuller particulars were available. This and other recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

9. This case was considered by the International Commission on Zoological Nomenclature at their meeting held on the morning of Monday, 16th September 1935. In view of the recommendation submitted by the International Committee on Entomological Nomenclature, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 22)⁵ :—

.....
(j) that the need for the suspension of the rules for *Strymon* Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* 1 : 22, had not been established;

.....
(l) to render *Opinions* in the sense of (a) to (k) above.

10. No reference was made in the foregoing Conclusion to the name *Bithys* Hübner, 1818, since, in the view of the Commission, the question of that name as such was not then before them.

⁴ For a supplementary note on the issues raised by this case, prepared jointly by Commissioner Francis Hemming and Mr. N. D. Riley, see the Appendix to the present *Opinion* (pp. 370–373 below).

⁵ Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20–23.

11. At the meeting of the Commission held on Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in the report.

12. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon.

It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the International Commission as set out in paragraph 11 above.

13. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

14. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session.

15. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

16. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion* as set out in the summary thereof neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission, and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held at Lisbon in September 1935,

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Five (*Opinion* 165) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twentieth day of June, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

APPENDIX TO OPINION 165

The status of generic names first published by Jacob Hübner in his *Zuträge zur Sammlung exotischer Schmettlinge* [sic], with special reference to the names *Strymon Hübner*, *Bithys Hübner* and *Chrysophanus Hübner* (Order Lepidoptera, Family LYCAENIDAE).

By Francis HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

and

N. D. RILEY

(Keeper of the Department of Entomology, British Museum (Natural History).)

In 1934, we drew up, jointly with our colleague Mr. W. H. T. Tams, a recommendation on behalf of the Lepidoptera Sub-Committee of the Committee on Generic Nomenclature of the Royal Entomological Society of London that the International Commission on Zoological Nomenclature should be asked to use their plenary powers to secure that the name *Bithys Hübner* should not be substituted by reason of page priority for the name *Strymon Hübner* as the name for the very large assemblage of species of the family LYCAENIDAE (Order Lepidoptera) usually placed in that genus. We made this recommendation because the name *Bithys Hübner*, when previously used, had almost invariably been used for the allied but entirely distinct group of species belonging to the same tribe (THECLINI), represented by *Papilio betulae* Linnaeus, 1758, the type of *Thecla* Fabricius, 1807. The transfer of a generic name from one well-established group of species to another equally well-established group within a single tribe of a family would undoubtedly give rise to greater confusion than uniformity and for this reason would be open to strong objection. In this connection, it will be recalled that the avoidance of confusing transfers of this kind was expressly stated by the Ninth International Congress of Zoology to be one of the purposes for which at their meeting held at Monaco in 1913 they decided to confer upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules as applied to that case would clearly result in greater confusion than uniformity (see *Declaration 5*, published in 1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1* : 31-40). Accordingly, we considered that the case of the names *Strymon Hübner* and *Bithys Hübner* was one for which the use by the International Commission of their plenary powers would be peculiarly appropriate.

The recent re-publication by the International Commission of *Opinion 1* (1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1* : 73-86) has drawn renewed attention to the definition given in that *Opinion* of the expression "indication" as used in proviso (a) to Article 25 of the *Règles Internationales*. From this *Opinion* it is clear that a generic name can only be accepted as having been published with an "indication," if at the time of its publication it was accompanied (1) with a bibliographic reference to a previously published description or definition or (2) with a definite citation of an earlier name for which a new name is proposed (applicable to nomina nova only) or (3) with a "definite citation or designation of a type species." The same *Opinion* makes it

clear also that the last-quoted phrase covers the case where a generic name is published without description or definition but with only one included species cited by name, that species being, therefore, the type by monotypy (see rule (c) in Article 30 as interpreted by *Opinion* 47).

The generic names *Strymon* and *Bithys* were first published by Hübner in 1818 in volume 1 of his *Zuträge zur Sammlung exotischer Schmettlinge* [sic]. That work consists essentially of a series of plates illustrating new or little-known species and the text, which is very short, is confined to a brief description of the species figured. In most cases, the species in question are assigned in the text to new genera, the plates themselves bearing no legends apart from the number allotted to each figure for the purpose of linking it with the text. No description or definition of any kind is given for the new genera published in this work. The description given is entirely confined to the species illustrated. If, as was formerly thought to be the case, these genera had been monotypical, the generic names in question would have been available nomenclatorially, since they would have been published with an "indication" within the meaning of that expression as defined in *Opinion* 1. Unfortunately, a close study of the *Zuträge* has shown that, in addition to describing the species figured, Hübner in each case cited for comparative purposes the name of a second species, thereby making each of these genera a genus containing two originally included species instead of a monotypical genus as previously supposed. The result is that the generic names first published in Hübner's *Zuträge zur Sammlung exotischer Schmettlinge* [sic] do not satisfy the requirements of proviso (a) to Article 25 of the *Règles Internationales*, since those names were published not only without a description or a definition but also without an "indication." Contrary, therefore, to what we believed when we prepared our application to the International Commission in regard to the names *Strymon* Hübner and *Bithys* Hübner, those names were not published in volume 1 of Hübner's *Zuträge* in conditions which satisfy the *Règles Internationales*. They are, therefore, not available as from their publication in that work.

The next occasion on which the names *Strymon* and *Bithys* were published was by Hübner in 1819⁶ in his *Verzeichniss bekannter Schmettlinge* [sic]. In that work Hübner gave a definition for each of the genera there adopted. The names *Strymon* and *Bithys* are, therefore, available as from the date of their publication in the *Verzeichniss*. The only species available for selection by subsequent authors as the types of these genera are the species included in those genera in the *Verzeichniss*. In the case both of *Strymon* Hübner and *Bithys* Hübner (and also of *Chrysophanus* Hübner, which, though not referred to in our original application to the Commission, is nevertheless bound up with the case of *Strymon* Hübner), the species included in those genera by Hübner in the *Verzeichniss* and first selected as the types of those genera by authors acting under rule (g) in Article 30 are not the species which would have been the types if the earlier publication in the *Zuträge* of the generic names in question had complied with the *Règles Internationales* and had therefore conferred availability upon those names as from that work. In the case of each of these genera it is, therefore, necessary to accept as the type a species other than that which was so accepted at the time when in 1934 we submitted this case to the International Commission.

We have, accordingly, re-examined the position as regards each of the generic names in question, in order to determine whether the change in the

⁶ The dates adopted in the present paper for the publication of the various signatures in which Hübner's *Verzeichniss bekannter Schmettlinge* [sic] are those worked out by Hemming in the light of the surviving Hübner manuscripts (see paragraph 8 of *Opinion* 150, published in 1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2: 165-166).

type species of these genera introduces any new factors into this case and, in particular, to ascertain whether in the new situation so created there is still a risk that, when the genus *Strymon* Hübner is next revised, the name *Bithys* Hübner may need to be applied to a species of the Strymonid group, with the consequent likelihood of confusion, unless action is taken by the International Commission under their plenary powers to prevent this from happening. The result of our re-examination of the position as regards these names is given below:—

Chrysophanus Hübner, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (5) : 72
 [Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* 1 : 24 no. 68 pl. [24] figs. 135, 136 (invalid because published without an "indication")]
 Scudder, 1872, *4th Ann. Rep. Peabody Acad. Sci.* 1871 : 56
 Riley, 1922, *J. Bombay nat. Hist. Soc.* 28 : 467

TYPE : *Papilio hyllus* Cramer, [1775], *Ull. Kapellen* 1 (4) : 67 pl. 43, figs. B, C.

The first author to select as the type of this genus one of the species included in it in the *Verzeichniss* was Scudder (1872), who selected *Papilio hyllus* Cramer, [1775]. That species is, therefore, the type and not *Rusticus mopsus* Hübner, [1809-1813], *Erste Zutr.* : 6 (ref. figs. 135, 136 on pl. [24] in volume 1 of the *Zutr. z. Samml. exot. Schmett.*), which would have been the type of this genus if the name *Chrysophanus* Hübner had first been validly published in volume 1 of the *Zutr. z. Samml. exot. Schmett.* (Riley, 1922).

So long as it was thought that *Rusticus mopsus* Hübner was the type of this genus, there was a prospect of great confusion arising if, upon the next revision of the genus *Strymon* Hübner (of which *Rusticus melinus* Hübner, [1809-1813], was then thought to be the type), the species *Rusticus mopsus* Hübner had been separated generically from *Rusticus melinus* Hübner, for this would have meant that the name *Chrysophanus* Hübner would have been transferred from the group of "Coppers" belonging to the group represented by *Lycaena* Fabricius, 1807 (type : *Papilio phlaeas* Linnaeus, 1761) to the Strymonid group of "Hairstreaks." This risk entirely disappears now that it is seen that the type of *Chrysophanus* Hübner is *Papilio hyllus* Cramer, for that species, if not actually congeneric with *Papilio phlaeas* Linnaeus, is closely allied thereto. The correct use of the name *Chrysophanus* Hübner is, therefore, also the accustomed use.

Strymon Hübner, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (5) : 74
 [Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* 1 : 22 no. 61 pl. [21] figs. 121, 122 (invalid because published without an "indication")]
 Scudder, 1872, *4th Ann. Rep. Peabody Acad. Sci.* 1871 : 53
 Riley, 1922, *J. Bombay nat. Hist. Soc.* 28 : 472

TYPE : *Rusticus mopsus* Hübner, [1809-1813], *Erste Zutr.* : 6 (reference to figs. 121, 122 on pl. [24] in volume 1 of the *Zutr. z. Samml. exot. Schmett.*)

The first author to select as the type of this genus one of the species included in it in the *Verzeichniss* was Scudder (1872), who selected *Rusticus mopsus* Hübner, [1809-1813]. That species is, therefore, the type and not *Rusticus melinus* Hübner, [1809-1813], which would have been the type of this genus if the name *Strymon* Hübner had first been validly published in volume 1 of the *Zutr. z. Samml. exot. Schmett.*

The substitution of *Rusticus mopsus* Hübner for *Rusticus melinus* Hübner as the type of *Strymon* Hübner has, in existing circumstances, no practical effect whatever, since these two species are commonly regarded as being congeneric. Further, there is no prospect of confusion arising even if, on the next revision of the genus *Strymon* Hübner, it is found advisable to place these two species in different genera, since *Rusticus melinus* Hübner will certainly remain in the Strymonid group of genera.

As will be seen from the immediately following note, the generic name *Bithys* Hübner was published in the *Verzeichniss* on a later page than *Strymon* Hübner. Accordingly, there is no longer any risk of confusion arising through the substitution on grounds of page priority of the name *Bithys* Hübner for the name *Strymon* Hübner.

Bithys Hübner, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (5) : 75
 [Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* 1 : 18 no. 44 pl. [16] figs. 87, 88 (invalid because published without an "indication")]
 Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 127
 Riley, 1922, *J. Bombay nat. Hist. Soc.* 28 : 466

TYPE : *Papilio strephon* Fabricius, 1775, *Syst. ent.* : 522

The first author to select as the type of this genus one of the species included in it in the *Verzeichniss* was Scudder (1875), who selected *Papilio strephon* Fabricius, 1775. That species is, therefore, the type and not *Rusticus leucophaeus* Hübner, [1809-1813], *Erste Zutr.* : 5 (ref. figs. 87, 88 on pl. [16] in volume 1 of the *Zutr. z. Samml. exot. Schmelt.*), which would have been the type of this genus if the name *Bithys* Hübner had first been validly published in volume 1 of the *Zutr. z. Samml. exot. Schmelt.* (Riley, 1922).

The substitution of *Papilio strephon* Fabricius for *Rusticus leucophaeus* Hübner as the type of *Bithys* Hübner has no immediate effect, since at present both species are commonly referred to the genus *Strymon* Hübner, of which, therefore, *Bithys* Hübner is now sunk as a synonym. When next the genus *Strymon* Hübner comes to be revised, it may certainly be expected that *Papilio strephon* Fabricius will be separated generically from *Rusticus mopsus* Hübner (the type of *Strymon* Hübner) and that, in consequence, the name *Bithys* Hübner will need to be brought into use for *Papilio strephon* Fabricius and its allies. For the reasons explained at the beginning of the present paper, the application to a Strymonid genus of the name *Bithys* Hübner would certainly result in greater confusion than uniformity, in view of the fact that, whenever used in the past, this name has been applied to an entirely different group in the tribe THECLINI.

The foregoing analysis shows that, although there is now no risk of confusion arising through the substitution of the name *Bithys* Hübner for the name *Strymon* Hübner, there remains a serious risk of confusion arising, on the next revision of the genus *Strymon* Hübner, as the result of the application of the name *Bithys* Hübner to a genus of the Strymonid group of the tribe THECLINI, for this name has invariably been associated in the literature with the group of genera represented by *Thecla* Fabricius. It is very satisfactory, therefore, that, when at Madrid in September 1935 the International Committee on Entomological Nomenclature decided to advise the International Commission on Zoological Nomenclature to defer taking action under their plenary powers in regard to the application which we had submitted in the present case, they expressly intimated that this action should not, in their view, be held to prejudice the consideration by the International Commission at a later date of a renewed application for the suspension of the rules as respects the name *Bithys* Hübner.⁷ As this recommendation was accepted by the International Commission on Zoological Nomenclature,⁸ the way is open for the submission of a revised application as respects *Bithys* Hübner, whenever the revision of the genus *Strymon* Hübner renders that course desirable.

British Museum (Natural History),
Cromwell Road, LONDON, S.W.7.

5th March 1945.

⁷ See paragraph 8 of *Opinion 165* (p. 366 above).

⁸ See paragraph 10 of *Opinion 165* (p. 366 above).

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of:—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944. Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely:—

Volume 1. This volume will contain *Declarations* 1–9 (which have never previously been published) and *Opinions* 1–133 (the original issue of which is now out of print). Parts 1–20 (containing *Declarations* 1–9 and *Opinions* 1–11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10–12 (with Roman pagination) and *Opinions* 134–181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1–35, containing *Declarations* 10–12 and *Opinions* 134–165, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1–5 (containing *Opinions* 182–186) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 36. Pp. 375-398.

OPINION 166

On the status of the names *Pompilus* Fabricius, 1798, and *Psammochares* Latreille, 1796 (Class Insecta, Order Hymenoptera) and of the alleged generic name *Pompilus* Schneider, 1784 (Class Cephalopoda, Order Nautiloidea)

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price six shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 166.

ON THE STATUS OF THE NAMES *POMPILUS FABRICIUS*, 1798, AND *PSAMMOCHARES LATREILLE*, 1796 (CLASS INSECTA, ORDER HYMENOPTERA) AND OF THE ALLEGED GENERIC NAME *POMPILUS SCHNEIDER*, 1784 (CLASS CEPHALOPODA, ORDER NAUTILOIDEA).

SUMMARY.—Under suspension of the rules (i) the name *Psammochares* Latreille, 1796 (Class Insecta, Order Hymenoptera) is hereby suppressed : (ii) the name *Pompilus* is hereby suppressed as a generic name in so far as it may have been so used prior to the publication of the name *Pompilus* Fabricius, 1798 ; (iii) the name *Pompilus* Fabricius, 1798, is hereby validated ; (iv) all type designations for *Pompilus* Fabricius, 1798, made prior to the date of the present *Opinion*, are hereby set aside ; and (v) *Pompilus pulcher* Fabricius, 1798, is hereby designated as the type of *Pompilus* Fabricius, 1798. There is no such generic name as *Pompilus* Schneider, 1784 (Class Cephalopoda, Order Nautiloidea), the name "*Pompilus*" having been published by Schneider as the specific trivial name of a species assigned by him to the genus *Octopodia* Schneider, 1784. The name *Pompilus* Fabricius, 1798, validated as above and with *Pompilus pulcher* Fabricius, 1798, as type, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 612.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Order Hymenoptera (Class Insecta) in all countries, the following petition signed by Professor Chester Bradley and 59 other hymenopterists was submitted to the International Commission on Zoological Nomenclature :—

THE CASE OF *POMPILUS* VERSUS *PSAMMOCHARES*

Psammochares Latr., 1796, was proposed without included species. In 1802¹ (*Hist. Nat.* vol. III), Latreille adopted the Fabrician name *Pompilus* for his *Psammochares* for reasons of euphony.

¹ The full reference is Latreille, [1802–1803] (*in* Sonnini's Buffon), *Hist. nat. gén. partic. Crust. Ins.* 3 : 334. For the authority for the date here assigned to this volume, see Griffin, 1938, *J. Soc. Bibl. nat. Hist.* 1 : 157.

Although subsequently cited by Latreille as a synonym of *Pompilus*, and once by Westwood (1840) *Psammochares* after Latreille's adoption of *Pompilus* to replace it escaped the attention of catalogers. It does not appear in Dalla Torre's *Catalogus Hymenopterorum*. It did not again come into use until Banks (*Journ. N.Y. ent. Soc.*, 1910, **18**: 114) pointed out the facts above stated, and showed that under the rules *Psammochares* and PSAMMOCHARIDAE must replace *Pompilus* and POMPIDIDAE.

Supporting the adoption of *Psammochares* in lieu of *Pompilus* was the supposed fact pointed out by Fox (1901) that *Pompilus* was preoccupied in Cephalopoda. But it now appears that *Pompilus* is not preoccupied. Dr. H. A. Pilsbry kindly informs us that Schneider's *pompilus* was a specific, not a generic name.²

The undersigned respectfully request the International Commission on Zoological Nomenclature to take the following action:—

- (1) to suspend the rules in the cases of the genera *Psammochares* Latr. and *Pompilus* Fabr.;
- (2) to permanently reject *Psammochares* Latreille (originally proposed without included species);
- (3) to validate *Pompilus* Fabr., 1798, type *Sphex viaticus* L. (by designation of Latreille, 1810);
- (4) to place on the *Official List of Generic Names*, *Pompilus* Fabr., type *Sphex viaticus* L., for the genus of fossorial wasps ordinarily known by that name.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission:—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	H. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiy
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	R. Kruger †
W. M. Mann	P. Roth	W. Hellen †
R. Friese	E. Enslin	F. X. Williams †
H. von Ihering †	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balduf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

² See paragraph 14 below.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in the second week of September 1935, during the Sixth International Congress of Entomology. After careful consideration, the International Committee formed the conclusion that it was desirable that the International Commission on Zoological Nomenclature should use their plenary powers in order to preserve the long-established name *Pompilus* Fabricius, 1798, with the family name POMPILIDAE, since, having regard to the literature as a whole, confusion rather than uniformity would result from the supersession of these names by the names *Psammochares* Latreille, 1796, and PSAMMOCHARIDAE. The International Committee agreed, therefore, to recommend that the name *Psammochares* Latreille and also *Pompilus* Schneider, 1784 (Class Cephalopoda, Order Nautiloidea), if that name had in fact been published as a generic name, should be suppressed.³ As regards the genus *Pompilus* Fabricius, the International Committee were of the opinion that the most satisfactory course would be for the International Commission to designate *Pompilus pulcher* Fabricius, 1798, as its type.

5. The above and other recommendations adopted by the International Committee at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involv-

³ See paragraph 14 below.

ing proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Pompilus* Fabricius, 1798, *Psammochares* Latreille, 1796, and *Pompilus* Schneider, 1784, was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

7. This case was considered by the International Commission at their meeting held on the afternoon of Monday, 16th September 1935 (Lisbon Session, 3rd Meeting, Conclusion 2), when the Commission agreed ⁴:—

- (b) under "suspension of the rules" permanently to reject the following generic names:—

(11) *Psammochares* Latreille, 1796, *Précis Caract. Ins.* : 115

(18) *Pompilus* Schneider, 1784, *Samml. verm. Abh.* : 128 (if intended as a generic name ⁵)

- (c) under "suspension of the rules" to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below:—

⁴ Only those portions of conclusion 2 which refer to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* 1 : 27-30.

⁵ See paragraph 14 below.

Name of genus

Type of genus

(27) <i>Pompilus</i> Fabricius, 1798, <i>Suppl. Ent. syst.</i> : 212	<i>Pompilus pulcher</i> Fabricius, 1798, <i>Suppl. Ent. syst.</i> : 249
----------------------------------------------------------------------------	----------------------------------------------------------------------------

- (d) under " suspension of the rules " to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated ;
- (e) to render *Opinions* in the sense of (a) to (d) above.

8. The foregoing decision was embodied in paragraph 27 of the report, which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology.

9. At the same meeting the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10) that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements and to take such other action, as might appear to them to be necessary or expedient :—

- (i) to establish the Secretariat of the Commission at its new headquarters ;
- (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission ;
- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session ;
- (iv) to obtain the finance required for the due functioning of the Commission ; and generally
- (v) to secure the effective continuance of the work of the Commission.

10. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

11. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature

plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁶ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of the names dealt with in the present *Opinion*, the Commission have received two communications objecting to the suspension of the rules in this case. These communications are as follows:—

- (a) *Document forwarded under cover of a letter dated 1st March 1937 by Dr. S. A. Rohwer in the name of the Committee on Nomenclature of the Entomological Society of Washington*

THE CASE OF *POMPILUS* FABR., 1798

The genus *Psammochares* was proposed by Latreille, 1796 (*Précis Caract. Gen. Insect.*, p. 115), without included species. In 1802⁷ (*Hist. Nat. Crust. & Insect.*, vol. 3 : 335) the same author cited *Pompilus viaticus* F. as an example of *Pompilus* and in his discussion of this genus remarked "J'avois établi le premier ce genre sous le nom de psammochare."⁸ In 1803 (*Nouv. Dict. Hist. Nat.*, vol. 5 : 158) Latreille definitely cited *Sphex fusca* (L.), which was one of the 37 species originally included in *Pompilus* by Fabricius, as type of *Psammochares*. This type fixation is in accordance with present usage. In 1810 (*Consid. gén.*, p. 437) he designated "*Pompilus viaticus* Fab." = *Sphex viatica* L. genotype of *Pompilus*. Recent examination of the type of *viatica* has shown (Haupt, *Deut. Ent. Zeit.*, 1927, Beiheft p. 308; Richards, *Trans. ent. Soc. Lond.* 83 : 165, 1935) that, based on *viatica*, *Pompilus* must be considered identical with *Podalonia* Spinola, 1853.⁹ Furthermore it has not yet been conclusively shown that *Pompilus* Fabr., 1798, is not preoccupied by *Pompilus* Schneider, 1784.¹⁰ Both are recognized as generic names in Sherborn's *Index Animalium* and in the *Nomen. Animalium Gen. et. Subgen.* now being issued.

Since Banks, 1910 (*Jour. N.Y. Ent. Soc.* vol. 18 : 114), called attention to the fact that *Psammochares* Latr., has priority over *Pompilus* Fabr. the principal workers in the family have employed the name *Psammochares* for this genus. Included among these are Banks, Haupt,¹¹ Arnold,¹¹ Gussakovsky, Nielsen, Grandi,¹¹ Turner, Williams,¹¹ Brêthes, Bernard, Maréchal, Richards,¹¹ and Sustera. During this period the name *Pompilus* has virtually appeared only in connection with scattered biological notes. To reject now the prior *Psammochares* Latr. in favor of the subsequent *Pompilus* Fabr. would result in overturning the nomenclature of the group

⁶ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

⁷ The correct date is [1802-1803]. See footnote 1.

⁸ The remainder of Latreille's observation here quoted reads as follows : —"J'abandonne volontiers cette dénomination pour prendre celle de *pompile*, qui est plus douce à l'oreille."

⁹ The correct date for this name is [1851]. The reference is *Mem. Accad. Sci. Torino* (2) 13 (1) : 53.

¹⁰ See paragraph 14 below.

¹¹ It will be seen from paragraph 2 of the present *Opinion* that this author's name is one of those included in the list of signatories of the petition submitted to the International Commission in favour of the suspension of the rules in this case.

which has been nearly uniform for the past twenty-five years, during which time more progress has been made in the taxonomy of this family than in any other similar period.

In this case only confusion can result from the proposed action under suspension of the rules.

(b) *Extract from a letter dated 28th March 1937 from Dr. Charles D. Michener, Berkeley, California*

Psammochares is the name now in general use, and is correct without a suspension of the rules.

12. Immediately upon their receipt by the Commission, copies of the documents from which the passages quoted in paragraph 11 have been extracted were communicated (April 1937) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the representations contained therein.

13. The representations set out in paragraph 11 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held at Lisbon on 18th September 1935 (for the text of which see paragraph 9 above). The Plenary Conference (Plenary Conference, 1st Meeting, Conclusion 9)¹² :—

(b) examined the communications that had been received during the prescribed period in regard to the undermentioned names :—

(viii) *Pompilus* Fabricius, 1798
from the Committee on Nomenclature of the Entomological Society of Washington; and from Charles D. Michener, Berkeley, California.

(c) took note that, although copies of the communications referred to in (b) above had been transmitted to each member of the Commission immediately upon their receipt, no member of the Commission had expressed himself as being in agreement with any of the representations contained therein;

(d) agreed that the communications referred to in (b) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year;

¹² Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, see 1943, *Bull. zool. Nomencl.* 1 : 76-77.

- (e) agreed that, in view of (c) and (d) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decisions in this matter reached by the International Commission at their Lisbon Session (3rd Meeting, Conclusion 2) and therefore that *Opinions* should be issued as soon as possible in the sense indicated in paragraph 27 of the report submitted by them to the Twelfth International Congress of Zoology and approved and adopted by that Congress at the Concilium Plenum held at Lisbon on 21st September 1935.

14. At the meeting held at Lisbon on Wednesday, 18th September 1935, at which the International Commission agreed upon their report to the Twelfth International Congress of Zoology (Lisbon Session, 5th Meeting, Conclusion 6), the Commission agreed also "to authorise Commissioner Hemming to examine the report after the close of the Congress when works of reference were available to him, for the purpose of checking the accuracy of the bibliographical and other references cited therein, and to correct any errors that might be found before the text of the report was officially printed" (Lisbon Session, 5th Meeting, Conclusion 1(c)). One of the questions which was left for subsequent determination in this way was whether, as alleged by certain authors, there existed a generic name *Pompilus* Schneider, 1784, and whether, in consequence, the name *Pompilus* Fabricius, 1798, dealt with in the present *Opinion*, would be a homonym, unless the earlier name *Pompilus* Schneider was suppressed by the Commission under their plenary powers. This question was accordingly investigated jointly by Commissioner Hemming and Commissioner Karl Jordan (*President of the Commission*), when in the spring of 1943 Commissioner Hemming began the preparation of the present *Opinion*. A careful study was made of the work entitled *Sammlung vermischter Abhandlungen zur Aufklärung der Zoologie und der Handlungsgeschichte* published by Schneider (J. G.) in 1784,¹³ the work in which, as it was alleged, that author had published the word *Pompilus* as a generic name. This examination showed conclusively:—

- (i) that Schneider used the word "*Pompilus*" not as a generic name but as the trivial name of one of the species there included by him in the genus *Octopodia* Schneider (then diagnosed for the first time on page 108 of the *Sammlung*);

¹³ The copy of Schneider's *Sammlung* examined was the copy which formerly belonged to the late Dr. C. D. Sherborn, which is now preserved in the Zoological Library of the British Museum (Natural History).

- (ii) that the mistaken view that the name *Pompilus* and certain other similarly placed names had been used by Schneider as generic names was due probably to the fact (a) that the specific trivial name *Pompilus* and the other specific trivial names concerned were printed in large conspicuous type and with a capital initial letter, while (b) the name of the genus (*Octopodia* Schneider) to which these species were referred was printed inconspicuously and in the same type as that used for the immediately following diagnosis given for that genus;
- (iii) that the species to which Schneider applied the specific trivial name "*Pompilus*" (i.e. the species to which he applied the (binominal) specific name *Octopodia Pompilus* Schneider) is the species previously named *Nautilus pompilius* by Linnaeus in 1758, *Syst. Nat.* (ed. 10) 1 : 709, this being clearly shown by the reference thereto cited by Schneider;
- (iv) that the reason why Schneider applied the specific trivial name *pompilus* to the species previously named *Nautilus pompilius* by Linnaeus was that, as a scholar and the editor of many classical works, he considered that the scientific names of animals should, so far as possible, be the "original Greek or Latin names" for those species.¹⁴

15. The results (summarised above) of the examination of Schneider's *Sammlung* thus made it perfectly clear that the validation of the generic name *Pompilus* Fabricius, 1798 (Class Insecta, Order Hymenoptera) decided upon by the International Commission at Lisbon in 1935¹⁵ does not involve (as it was then thought that it might) the suppression (under the Commission's plenary powers) of an earlier generic name, *Pompilus* Schneider, 1784, since, in fact, Schneider never published any such generic name. There is no evidence of any kind to suggest that any author used the word "*Pompilus*" as a generic name in any other work prior to the publication of the name *Pompilus* by Fabricius in 1798, but, in order to provide against this remote contingency, it remains desirable that provision should be made in the *Opinion* validating *Pompilus* Fabricius, 1798, for the suppression of any such use of the name *Pompilus*.

16. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

¹⁴ For the text of the report prepared by Commissioner Hemming in conjunction with Commissioner Jordan, see the Appendix to the present *Opinion*.

¹⁵ See paragraph 7 of the present *Opinion*.

17. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter

18. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

19. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Six (*Opinion* 166) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twenty second day of June, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

APPENDIX TO OPINION 166

On the status of the name *Pompilus* and certain other names commonly alleged to have been published as generic names by Schneider (J. G.) in 1784, *Sammlung vermischter Abhandlungen zur Aufklärung der Zoologie und der Handlungsgeschichte*, and on matters incidental thereto.

By Francis HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature.)

At their Session held at Lisbon in 1935 the International Commission on Zoological Nomenclature agreed to use their plenary powers for the purpose of validating the generic name *Pompilus* Fabricius, 1798, *Suppl. Ent. syst.*: 212 (type: *Pompilus pulcher* Fabricius, 1798, *Suppl. Ent. syst.*: 249) (Lisbon Session, 3rd Meeting, Conclusion 2(b)(18) and (c)(27), published in 1943, *Bull. zool. Nomencl.* 1: 28, 29). The principal question involved in that case was the situation created by the existence of the older name *Psammochares* Latreille, 1796, for this genus. There was, however, a secondary problem arising from the alleged publication of the name *Pompilus* as a generic name by Schneider (J. G.) in 1784, *Sammlung vermischter Abhandlungen zur Aufklärung der Zoologie und der Handlungsgeschichte*: 128, since, if there had been such a generic name as *Pompilus* Schneider, 1784, the name *Pompilus* Fabricius, 1798, would have been invalid as a homonym, quite apart from the difficulties created by the existence of the name *Psammochares* Latreille, 1796. After careful consideration, the International Commission unanimously agreed to overcome these difficulties (i) by suppressing the name *Psammochares* Latreille, 1796, under their plenary powers and (ii) by suppressing under the same powers the name *Pompilus* Schneider, 1784, "if intended as a generic name."

2. It was not possible at Lisbon to consult a copy of Schneider's *Sammlung* and, in order to provide for this and certain similar cases, the International Commission at their meeting held at Lisbon on 18th September 1935 agreed "to authorise Commissioner Hemming to examine the report after the close of the Congress when works of reference were available to him, for the purpose of checking the accuracy of the bibliographical and other references cited therein, and to correct any errors which might be found before the text of the report was officially printed" (Lisbon Session, 5th Meeting, Conclusion (1c), published in 1943, *Bull. zool. Nomencl.* 1: 44). Accordingly, the problem created by the alleged existence of the generic name *Pompilus* Schneider, 1784, was examined by Commissioner Francis Hemming, Secretary to the Commission, jointly with Commissioner Karl Jordan, President of the Commission, in the early part of 1943, when the text of *Opinion* 166, containing the Commission's decision in regard to *Pompilus* Fabricius, 1798, was in course of preparation.

3. The results of the examination of Schneider's *Sammlung* of 1784 may be summarised as follows:—

- (a) The title of the article in Schneider's *Sammlung* in which the name "*Pompilus*" appears is: "Charakteristik des ganzen Geschlechts und der einzelnen Arten von Blakfischen," the article in question extending from page 103 to page 134.

(b) In the above article, Schneider :—

- (i) referred (: 105) to the 10th edition of the *Systema Naturae* of Linnaeus and quoted the diagnosis there given by Linnaeus for the genus *Sepia* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 658 (though he did not cite the date of the 10th edition or give the page reference);
 - (ii) referred to the above diagnosis by the expression "Geschlechtscharakter";
 - (iii) said that he could not retain in its entirety and without alteration the "Geschlechtscharakter" (diagnosis) given by Linnaeus for the genus *Sepia* Linnaeus;
 - (iv) gave a new "Geschlechtscharakter" for this genus covering all the species ("Arten") which he regarded as referable thereto;
 - (v) set out (: 108) the revised "Geschlechtscharakter" in Latin accompanied with a version in German, thus :—
 Octopodia. Caput cum oculis inter pedes et ventrem . . .
 (and so on)
 Blakfisch. Kopf und Augen zwischen Leib und Füssen . . .
 (and so on);
 - (vi) stated that he had selected as the name of the "Geschlecht" the word "*Octopodia*" employed in late Greek, in place of the ancient name *Polypus* ("Ich habe zum allgemeinen Geschlechtsnamen ein Wort gewählt, welches die neuern Griechen statt des alten *Polypus* brauchten"), and accordingly placed the name *Octopodia* at the head of the Latin text of the "Geschlechtscharakter" (quoted in (v) above) of this genus, the counterpart in the German version being "Blakfisch" (that name being derived from the German word "blaken," used to denote the "smoking" of a candle or lamp);
 - (vii) divided the "Geschlecht" *Octopodia* Schneider into two groups ("Classen"), to which, however, he applied no names;
 - (viii) stated that he gave to each species its old Greek or Latin name ("damit ich hernach einer jeden Art ihren alten griechischen oder lateinischen Namen wieder geben möchte");
 - (ix) enumerated under the names shown in (c) below the eight species which he referred to the genus *Octopodia* Schneider.
- (c) The following are the species referred by Schneider to the genus *Octopodia* Schneider :—

NOTE :—The following points should be noted : (a) Schneider cited the generic name *Octopodia* Schneider only on page 108 and did not repeat it in combination with the specific trivial names of the eight species referred by him to that genus, each of those species being cited by him only by its specific trivial name, that name being printed with a capital initial letter (as "*Sepia*," "*Loligo*," etc.); (b) As explained in (b)(viii) above, Schneider did not regard as new names the specific trivial names which he employed, but looked on them as old names revived, though in fact five of them are new names nomenclatorially, since Schneider was the first author to publish them after 1757 as the specific trivial components of binominal names formed in accordance with the system instituted by Linnaeus in 1758.

ERSTE CLASSE (: 109)

(i) *Octopodia sepia* Schneider, 1784

Schneider showed that his "*Sepia*" was the same species as *Sepia officinalis* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 658, no. 2. ("Diese Art hält sich in Meer näher am Strande auf.")

(ii) *Octopodia loligo* (Linnaeus, 1758)

This species is *Sepia loligo* Linnaeus 1758, *Syst. Nat.* (ed. 10) 1: 659, no. 4. ("Dies soll nach Linnee [sic] die grosse Art des Rondelet und Needham sein.")

(iii) *Octopodia teuthis* Schneider, 1784

This species is the same as *Sepia media* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 659, no. 3. ("Dies ist die Art, welche Linnee [sic] *Media* nennt.")

(iv) *Octopodia sepiola* (Linnaeus, 1758)

This species is *Sepia sepiola* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 659, no. 5. (Schneider says of this species: "Diese Art ist bunt.")

ZWEYTE [sic] CLASSE (: 116)

(v) *Octopodia polyopus* Schneider, 1784

This species is the same as *Sepia octopodia* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 658, no. 1. Schneider used the specific trivial name *polyopus* because it was the old Greek name for this and, therefore, preferable, in his opinion, to the name *octopodia* used by Linnaeus in 1758. (Schneider says of this species: "Die Hauptschriftsteller von dieser Art, welche in dem angeführten Kennzeichen mit einander übereinstimmen, sind Herr Hasselquist und Koelreuter.")

(vi) *Octopodia moschites* Schneider, 1784

The name *moschites* does not appear in the 10th edition of Linnaeus. The description given by Schneider was based on classical and later accounts. The name *moschites* is derived from modern Greek: "Die neuern Griechen sollen ihn $\mu\sigma\chi\iota\tau\eta\varsigma$ nennen."

(vii) *Octopodia nautilus* Schneider, 1784

Schneider made it clear that this species is the same as *Argonauta argo* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 708, no. 231. Schneider added: "Diese Art hat Aristoteles mit Recht zu dem Geschlechte der Meerpolypen gezahlt."

(viii) *Octopodia pompilus* [[recte] *pompilius*] (Linnaeus, 1758)

This is the species named *Nautilus pompilius* by Linnaeus in 1758, *Syst. Nat.* (ed. 10) 1: 709, no. 233. The spelling of the specific trivial name as "*pompilus*" instead of "*pompilius*" was due either to an error of transcription on the part of Schneider or to a deliberate return to classical spelling. Schneider said of this species: "Ich gebe dieser Art den Namen, welchen Linnee [sic] aus dem Plinius beigelegt hat, ob er ihr gleich nicht zukommt."

- (d) In view of the fact that Linnaeus erroneously placed the genera *Argonauta* Linnaeus, 1758, and *Nautilus* Linnaeus, 1758, among the univalve mollusca, Schneider, when uniting these genera with *Sepia* Linnaeus, 1758, to form the genus *Octopodia* Schneider, 1784, was quite justified in using the expression "des ganzen Geschlechts" in the title of his article and in saying, as regards his own diagnosis

("Geschlechtscharakter") of the genus *Octopodia* Schneider, that it covered all the species referred by him to that genus.

4. It will be seen from the foregoing analysis of Schneider's *Sammlung* of 1784 that there is no such generic name as *Pompilus* Schneider, 1784, and in consequence that the name *Pompilus* Fabricius, 1798, has at no time been a homonym. Accordingly, no difficulty arises under this head in connection with *Opinion* 166.

5. Certain nomenclatorial issues, unconnected with *Opinion* 166, are, however, disclosed by the examination of Schneider's *Sammlung*. As it is clearly most desirable that, where it is necessary in a given *Opinion* (as in *Opinion* 166) to examine the status of a particular name (as *Octopodia pompilus* Schneider, 1784), account should be taken of the effects of the conclusions reached not only as regards the particular name in question but also as regards any other name or names, the status of which is identical with that of the name examined. In the present case it is desirable, therefore, to examine the status of the other names used by Schneider in the article in which he described the species *Octopodia pompilus* [sic] (Linnaeus, 1758). The following notes are accordingly added, in order to show how the conclusions reached in regard to the specific trivial name "*pompilus*" used by Schneider for species no. 8 in his genus *Octopodia* affect the other names used by him in the same article. Finally, a note is added in regard to the position of the generic name *Octopodia* Schneider, 1784.

6. The position as regards the specific trivial names used by Schneider in 1784 for species placed by him in the genus *Octopodia* Schneider may be summarised as follows:—

(1) There is no force in either of the two arguments which at different times have been advanced against accepting as available under the *Règles Internationales* the names first published by Schneider in his *Sammlung* in 1784, namely:—

- (a) that it is not clear that he used the expression "Geschlecht" as the equivalent of the expression "genus" of Linnaeus; and
- (b) that he divided the "Geschlecht" *Octopodia* into "Classen," thereby departing from the binary system of nomenclature.

(2) As regards objection 1(a) above, it has already been shown conclusively in Section (b) of paragraph 3 of the present paper that Schneider's expression "Geschlecht" is identical with the expression "genus" as used by Linnaeus. Further, it should be noted that in various forms the expression "Geschlecht" has often been used by other authors as the equivalent of the expression "genus" and, therefore, that Schneider's use of this expression in this sense, though now not usual, is far from being unique. For example, towards the end of the XVIIIth century and at the beginning of the XIXth century, the word "Geschlecht" was in quite common use as the designation for the systematic category next above the category of "species" and as the equivalent, therefore, of the expressions "genus" (Latin), "genre" (French), "Gattung" (German), "geslacht" (Dutch), and "slägt" (Swedish). Moreover, these words are all still in use to the present day in works on systematic zoology. The following are examples of such usage at various dates:—

- (a) Fuessli, 1778, *Mag. Ent.* 1:2 & ff. (Review of Voet's *Catalogus systematicus Coleopterorum*): "Genus primum: *Scarabaeus*. Von diesem Geschlechte sind bis S. 34 überhaupt 153 Arten beschrieben und abgebildet. S. 35 folgt: *Genus secundum, Copris*. Von diesem Geschlechte sind erst 10 Arten beschrieben . . ." (and so on).

- (b) Helmuth, 1808, *Naturgeschichte* 5. "Das Geschlecht der Kolbenkäfer, *Scarabaeus*" (: 24); "Das Geschlecht der Bockkäfer, *Cerambyx*" (: 41); "Das Geschlecht der Wasserkäfer, *Dytiscus*" (: 48) . . . (and so on).
- (c) A. van Bemmelen, in Herklots, 1858, *Bouwstoffen voor eene Fauna van Nederland* 2 : 140. "Ons land is rijk an soorten van het geslacht *Cyprinus*; de best bekende zijn : " (Here follows a list of 6 species : *Cyprinus rutilus*, *Cyprinus brama*, etc.).
- (d) Reuter, 1880, in *Ent. Tidskr.* 1 : 117. "Slägtöfversigt" (i.e. "survey (or key) of genera").
- (3) Objection (1)(b) above rests on the argument that Schneider was not an author who applied the principles of binary nomenclature and, therefore, that names published by him do not satisfy the requirements of proviso (b) to Article 25 of the *Règles Internationales*. The only evidence brought forward in support of this contention is that Schneider divided the "Geschlecht" *Octopodia* Schneider, 1784, into two groups (which he called "Classen"), intermediate in rank between genus and species. This objection is ill-founded, (a) because Schneider did not give names to his "Classen" and (b) because, even if he had given names to his "Classen," such action would still not have constituted a departure from the principles of binary nomenclature. Quite apart from the fact that the *Règles Internationales* recognise (Articles 6-10) the subgenus as a category intermediate between the genus and the species, it should be noted that many strictly binominal authors from the time of Linnaeus onwards have established groups within a genus identical with the "Classen" established by Schneider and that many of these authors have given Latin names (in the nominative plural) to the groups so established. See, for example, the six named groups established by Linnaeus within the genus *Gryllus* Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 425-433 (Class Insecta, Order Orthoptera). In actual fact, as will be seen from paragraph 3(c) of the present paper, Schneider in his *Sammlung* of 1784 employed a strictly binominal system of nomenclature. Since a binominal system of nomenclature is *ex hypothesi* a binary system of nomenclature, it is not necessary here to consider whether Schneider used a system of nomenclature, which, though not binominal, was nevertheless a binary system in the sense in which that expression is interpreted in *Opinion* 20. This is fortunate, since the validity of the interpretation of the expression "binary nomenclature" as given in that *Opinion* is at present *sub judice* (see 1943, *Bull. zool. Nomencl.* 1 : 45, 55).
- (4) In view of (2) and (3) above, no grounds exist on which either the generic or the specific trivial names first published by Schneider in his *Sammlung* of 1784 can be rejected as not satisfying the requirements of the *Règles Internationales*. All such names possess, therefore, rights under the Law of Priority as from 1784.
- (5) The only new generic name published by Schneider in the article under discussion was *Octopodia* Schneider, 1784 (see paragraph 7 below). All the other generic names alleged to have been published by Schneider in that article are cheironyms (being based upon a misreading of the trivial names used by Schneider for species of the genus *Octopodia* Schneider) and should, therefore, be deleted from all zoological *Nomenclators*. The cheironyms in question are :—

Loligo Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 110

Moschites Schneider, 1784, *ibid.* : 118

Polypus Schneider, 1784, *ibid.* : 116

Pompilus Schneider, 1784, *ibid.* : 128 ¹⁶
Sepiolo Schneider, 1784, *ibid.* : 116
Teuthis Schneider, 1784, *ibid.* : 113

- (6) In consequence of the elimination of the first five of the above cheironyms, the following names are no longer invalid by reason of being homonyms :—
Loligo Lamarck, 1798, *Bull. Sci. Soc. philomat.*, Paris **17** : 130
Moschites Hoyle, 1901, *Mem. Proc. Manchester lit. phil. Soc.* **45** (No. 9) : 1
Polyopus Leach, 1817, *Zool. Miscell.* **3** : 139
Pompilus Fabricius, 1798, *Suppl. Ent. syst.* : 212
Sepiolo Leach, 1817, *Zool. Miscell.* **3** : 140
- (7) The elimination of the cheironym *Teuthis* Schneider, 1784 (and of the cheironyms *Nautilus* Schneider, 1784, and *Sepia* Schneider, 1784, if either of these names have been cited in scientific publications) can have no effect upon the nomenclature of the groups concerned, since, even if such generic names had been published by Schneider in 1784, they would have been invalid as homonyms under Article 34 of the *Règles Internationales*, in view of the existence of the prior names *Teuthis* Linnaeus, 1766, *Nautilus* Linnaeus, 1758, and *Sepia* Linnaeus, 1758.

7. The position as regards the generic name *Octopodia* Schneider, 1784, may be summarised as follows :—

- (1) The generic name *Octopodia* Schneider, 1784, *Samml. verm. Abhandl. Aufklär. Zool.* : 108, is a nomenclatorially available name, since :—
- (a) it was published with a definition (see paragraph 3(b)(v) above), thereby satisfying the requirements of proviso (a) to Article 25 of the *Règles Internationales*; and
 - (b) was published by an author who applied a strictly binominal system of nomenclature, and, therefore, *ex hypothesi* a binary system of nomenclature (see paragraphs 3(c) and 6(3) above), thereby satisfying the requirements of proviso (b) to Article 25.
- (2) In view of (1) above, all uses of the word *Octopodia* as a new generic name by later authors are invalid, since the generic name *Octopodia* as used by such authors is a homonym of *Octopodia* Schneider, 1784. Accordingly, the names *Octopodia* Gray, 1847, *Proc. zool. Soc. Lond.* **15** (178) : 205, and *Octopodia* Grimpe, 1925, *Wiss. Meeresuntersuch., Abh. Helgoland* **16** (3) : 13, are invalid under Article 34 of the *Règles Internationales*.
- (3) At the time when the generic name *Octopodia* Schneider, 1784, was published, *Octopodia polyopus* Schneider, 1784 (one of the included species) already possessed a name (*Sepia octopodia* Linnaeus, 1758), of which the specific trivial component consisted of the same word (*octopodia*) as that selected by Schneider as the name for his new genus (*Octopodia*).
- (4) In view of (3) above and of the fact that Schneider did not designate a type for the genus *Octopodia* Schneider, 1784, the type of that genus is *Octopodia polyopus* Schneider, 1784, by absolute tautonymy under rule (d) in Article 30 of the *Règles Internationales*.

¹⁶ The name *Pompilus* Fabricius, 1798, which, apart from being considered a homonym of *Pompilus* Schneider, 1784, was invalid as a synonym of *Psammochares* Latreille, 1796, has been validated by the International Commission in *Opinion* 166 (see pp. 377–387 above).

8. Now that it is seen that *Octopodia* Schneider, 1784, is an available generic name and that *Octopodia polyopus* Schneider, 1784 (= *Sepia octopodia* Linnaeus, 1758) is the type of this genus, it will be necessary to consider the position of the name *Octopus* Cuvier, [1797], *Tabl. elem.* : 380 (= *Octopus* Lamarck, 1798, *Bull. Soc. Sci. philomat.*, Paris **17** : 130), since clearly greater confusion than uniformity would result from the substitution of the name *Octopodia* Schneider, 1784, for the name *Octopus* Cuvier, [1797]. Specialists interested in this question are accordingly invited to communicate with the International Commission.

FRANCIS HEMMING.

*Secretary to the International Commission
on Zoological Nomenclature*

Secretariat of the Commission,
at the British Museum (Natural History),
Cromwell Road, LONDON, S.W.7.

25th July 1943.

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above ; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943. So far, six Parts have been published. Further Parts are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-37, containing *Declarations* 10-12 and *Opinions* 134-167, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-11 (containing *Opinions* 182-192) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £969 16s. 1*d.* were received up to 30th June 1945. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

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PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

Ref.

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 37. Pp. 399-410.

OPINION 167

Suspension of the rules for *Euthalia* Hübner,
[1819] (Class Insecta, Order Lepidoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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EP 25 1945

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OPINION 167.

SUSPENSION OF THE RULES FOR *EUTHALIA* HÜBNER,
[1819] (CLASS INSECTA, ORDER LEPIDOPTERA).

SUMMARY.—Under suspension of the rules it is hereby declared that page priority shall not be invoked to secure precedence for *Symphædra* Hübner, [1819] (type: *Symphædra alcandra* Hübner, [1819]), over *Euthalia* Hübner, [1819] (type: *Papilio lubentina* Cramer, [1777]), and the name *Euthalia* Hübner is therefore valid. This decision does not affect the validity of the *Symphædra* Hübner, if and when it may be desired on taxonomic grounds to place *Symphædra alcandra* Hübner and *Papilio lubentina* Cramer in different genera. The name *Euthalia* Hübner, [1819] (Class Insecta, Order Lepidoptera), with the type indicated above, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 613.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 24th October 1934, in which Commissioner Francis Hemming and Mr. N. D. Riley, Keeper of the Department of Entomology, British Museum (Natural History), jointly invited the Commission to render *Opinions* in regard to this, and certain other, generic names in the Order Lepidoptera (Class Insecta). The passage in that letter relating to the name *Euthalia* Hübner reads as follows:—

- (a) We recommend that the following names should be added by the International Commission to the *Official List of Generic Names*. Our reasons for so recommending are fully set out in the statements, the terms of which we have jointly agreed, contained in Hemming's *Generic Names of the Holarctic Butterflies* on the pages noted below:—

.....
Euthalia Hübner, [1818],¹ (Hemming (*loc. cit.* 1 : 91-92))

¹ At the time that this application was made to the International Commission, there was much uncertainty regarding the dates of publication of the entomological works of Jacob Hübner, and in particular of his *Verzeichniss bekannter Schmettlinge* [sic]. These doubts have since been put to rest by the discovery of Hübner's original manuscripts. The correct date for *Euthalia* Hübner is [1819]. See *Opinion 150* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 161-168).

2. The following is an extract from the work referred to above of the passage relating to this genus :

EUTHALIA Hübner

Hübner, [1818],² *Verz. bekannt. Schmett.* (3) : 41
 Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 176

TYPE : *Papilio lubentina* Cramer, 1777³

Of the two species given by Hübner, Scudder selected *lubentina* Cram. as the type.

On a strict application of the rules in the International Code of Zoological Nomenclature the name *Symphædra* Hübner, [1818],² should take precedence of *Euthalia* Hübner, [1818].² Nomenclatorially, both *Euthalia* Hübner and *Symphædra* Hübner are valid names, but one must sink as a synonym of the other, as their respective types (*Papilio lubentina* Cram., 1777³ and *Symphædra alcandra* Hübner, [1818]²) are congeneric. Both names were published simultaneously by Hübner in the *Verz. bekannt. Schmett.* The name *Symphædra* Hübner was published on p. 40 and the name *Euthalia* Hübner on p. 41. Thus on the principle of page priority, *Euthalia* Hübner should fall as to *Symphædra* Hübner.

There are, however, very strong reasons against such an arrangement. The name *Euthalia* Hübner has been applied without challenge to *lubentina* Cram. and its numerous allies ever since the establishment of the name by Hübner one hundred and sixteen years ago. On the other hand, the name *Symphædra* Hübner has hardly ever been used except to distinguish a single species, *alcandra* Hübner (= *nais* Forster), from the other species of *Euthalia* Hübner. Bingham (1905, *Fauna Brit. Ind. Butt.* 1 : 271) and Fruhstorfer (1913, in Seitz, *Grossschmett. Erde* 9 : 680) have, however, shown that there are no structural characters by which *alcandra* Hübner (= *nais* Forster) can be distinguished from *lubentina* Cram.

The position is, therefore, that a strict application of the Code would :—

- (i) deprive *Papilio lubentina* Cram., 1777,³ and its numerous congeners of the generic name *Euthalia* Hübner by which they have been known universally ever since its establishment by Hübner in 1818 ;²
- (ii) transfer those species to the genus *Symphædra* Hübner, a name which has hardly ever been used except (mistakenly) to distinguish *alcandra* Hübner (= *nais* Forster) generically from *lubentina* Cram. and its congeners.

I am of the opinion :—

- (a) that it would be highly undesirable to disturb the universally accepted use of the name *Euthalia* Hübner, [1818],² for *Papilio lubentina* Cram., 1777,³ and its congeners, by transferring them to the genus *Symphædra* Hübner, [1818],² and
- (b) that the strict application of the rules of the International Code in this case would clearly result in greater confusion than uniformity.

3. Commissioner Hemming went on to say that, jointly with Mr. N. D. Riley, he was submitting to the International Commission on Zoological Nomenclature a recommendation that, in the

² The correct date of this name is [1819]. See footnote 1.

³ As the dates of publication of the Parts in which Cramer's *Uitlandsche Kapellen* was published can only be determined by the inspection of a copy still in original wrappers, the dates of names published in this work should be cited in squares brackets.

exercise of the plenary power conferred upon them by the International Zoological Congress, the Commission should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect :—

The name *Euthalia* Hübner, [1818]² (type *Papilio lubentina* Cram., 1777)³ is hereby added to the *Official List of Generic Names*. The name *Symphaedra* Hübner, [1818]² is, therefore, not to be substituted for *Euthalia* Hübner, [1818]² on the ground that it has page priority over that name, though it is available for use for *Symphaedra alcandra* Hübner, [1818]² (= *Papilio nais* Forster, 1771), by such systematists as may regard that species as generically distinct from *Papilio lubentina* Cram., 1777.³

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. As a first step the International Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee on Entomological Nomenclature agreed to recommend the International Commission on Zoological Nomenclature to take such steps as they might consider necessary under their plenary powers to secure that the name *Symphaedra* Hübner, [1819], should not replace the name *Euthalia* Hübner, [1819], as the generic name for *Papilio lubentina* Cramer, [1777], and the large number of species congeneric therewith.

5. This and other recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had

not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the name *Euthalia* Hübner, [1819], was one of the cases in question and was accordingly dealt with under the above procedure.

7. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22), when it was agreed:—⁴

(a) to "suspend the rules" in the case of the following generic names:—

(v) *Euthalia* Hübner, [1819], *Verz. bek. Schmett.* (3) : 41

(f) to declare that page precedence shall not be invoked to secure precedence for *Symphaedra* Hübner, [1819], *Verz. bek. Schmett.* (3) : 40 (type: *Symphaedra alcandra* Hübner, [1819], *ibid.* (3) : 40) over *Euthalia* Hübner, [1819], *Verz. bek. Schmett.* (3) : 41 (type: *Papilio lubentina* Cramer, [1777]); that the name *Euthalia* Hübner is therefore valid; but that this decision would not affect the validity of *Symphaedra* Hübner, [1819], if and when it may be desired on taxonomic grounds to place *Symphaedra alcandra* Hübner, [1819], and *Papilio lubentina* Cramer, [1777], in different genera;

(i) to add the generic names . . . *Euthalia* Hübner, [1819], . . . to the *Official List of Generic Names*, with the types indicated above;

(l) to render *Opinions* in the sense of (a) to (k) above.

⁴ Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20-23.

8. The foregoing decisions were embodied in paragraph 28 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

9. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁵ In the period that has elapsed since the advertisement in the said journals of the possible suspension of the rules as applied to the present case, no communication of any kind has been addressed to the Commission objecting to the issue of an *Opinion* in the terms proposed.

10. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

11. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that

⁵ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

12. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

13. At the time that the vote was taken on the present *Opinion* there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Seven (*Opinion* 167) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this first day of July, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41,
Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943. So far, six Parts have been published. Further Parts are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-37, containing *Declarations* 10-12 and *Opinions* 134-167, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-11 (containing *Opinions* 182-192) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £969 16s. 1*d.* were received up to 30th June 1945. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 38. Pp. 411-430.

OPINION 168

On the principles to be observed in interpreting Article 30 of the International Code in relation to the names of genera based upon erroneously determined species (*Opinion* supplementary to *Opinion* 65)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price five shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 168.

ON THE PRINCIPLES TO BE OBSERVED IN INTERPRETING ARTICLE 30 OF THE INTERNATIONAL CODE IN RELATION TO THE NAMES OF GENERA BASED UPON ERRONEOUSLY DETERMINED SPECIES (*OPINION* SUPPLEMENTARY TO *OPINION* 65).

SUMMARY.—Article 30 of the International Code is to be interpreted as meaning that, as a specimen is the type of a species, so a species is the type of a genus. *Opinion* 65 is to be interpreted as directing (i) that, in the absence of evidence to the contrary, it is to be assumed that the original author of a genus correctly identified the species assigned by him thereto, whether the species in question was designated as the type of the genus by that author or, no species having been so designated, is a species selected as the type by a later author acting under rule (g) in Article 30 of the Code, and (ii) that in the latter event it is to be further assumed that the later author correctly identified the species so selected, but (iii) that, where there is evidence that either or both of these assumptions is at variance with the facts, the case should be submitted with full details to the International Commission on Zoological Nomenclature, and (iv) that, pending their decision thereon, the genus should be regarded as of doubtful status.

I.—THE STATEMENT OF THE CASE.

In 1935 Commissioner Francis Hemming prepared for the consideration of the International Commission on Zoological Nomenclature a paper dealing with certain difficulties which had arisen in the interpretation of *Opinion* 65 (which relates to the determination of the types of genera based upon erroneously determined species) and asking for a clarification of that *Opinion*, with special reference to the status of certain genera in the Order Lepidoptera (Class Insecta).

2. The portion of the foregoing paper relating to the interpretation of *Opinion* 65 reads as follows¹ :—

¹ The text of Part 2 of this paper dealing with individual generic names in the Order Lepidoptera is not reproduced in the present *Opinion*, which is concerned only with the general principles discussed in Part 1. The several portions of Part 2 dealing with individual generic names are, however,

By Francis Hemming, C.B.E.

Introductory

While preparing my *Generic Names of the Holarctic Butterflies*, the first volume of which appeared last year,* I found myself confronted with the names of a number of genera based upon erroneously determined species. When I turned to *Opinion* 65, I found that, although the title of that *Opinion* ("Case of a genus based upon an erroneously determined species") is of a general character, thus indicating that the International Commission intended it to cover all the classes of genera involved, the actual subject matter dealt with by the Commission in the "summary" is very limited. It is confined indeed to one only of the classes of case concerned, and that one of the least frequent, although a second class of case is discussed in the "statement of the case" on which that *Opinion* is founded. On the other hand, *Opinion* 65 gives implicit guidance regarding the principles to be applied in dealing with the other classes of case. Moreover, that *Opinion* lays down the important general proposition that, where any specialist encounters a genus which appears to be based upon an erroneously determined species, he should submit full particulars to the Commission.

2. In view of the relatively large number of cases which I have encountered in a single Sub-Order (Rhopalocera) of one Order (Lepidoptera) of insects, it cannot be doubted that in the Animal Kingdom as a whole the number of genera based upon erroneously determined species must be considerable. For this reason alone it is clearly desirable that the International Commission should now elucidate the principles laid down implicitly in *Opinion* 65. The lack of such guidance is already causing real inconvenience to those whose business it is to determine the types of genera in various groups and is retarding the development of classification.

3. The preparation of such an *Opinion* would not involve the Commission in any substantial amount of additional work, since it will in any case be necessary for the Commission to formulate for their own guidance the principles involved before they can reach decisions on the particular cases in the Order Lepidoptera now submitted. Once those principles have been formulated, there is clearly everything to be gained by their being set out in a special *Opinion* supplementary to *Opinion* 65 in a form readily accessible to all systematic workers.

4. The primary object of the present application is to secure decisions from the International Commission on the identity of the types of those genera in the Order Lepidoptera which I have found to be based upon erroneously determined species. For the reasons explained above, the secondary object of this application is to ask the International Commission, once they have settled those cases, to render an *Opinion* setting out the principles that have guided them in so doing.

5. Part I of the present paper is therefore concerned with the general problem of the different classes of genera based upon erroneously determined species. In this Part, I indicate the solution which appears to me to follow from the principles implicit in the *Opinion* rendered by the Commission as *Opinion* 65.

quoted in the *Opinions* dealing with those names, namely *Opinions* 169 (*Lycaeides* Hübner) (pp. 431-442 below), 173 (*Agriades* Hübner), 175 (*Polyommatus* Latreille), 177 (*Euchloë* Hübner), 179 (*Princeps* Hübner), and 181 (*Carcharodus* Hübner).

* This volume was published by the Trustees of the British Museum (Natural History) on 28th July 1934.

6. Part 2 deals with the particular cases in the Order Lepidoptera on which I am asking for decisions from the International Commission. A full statement of the relevant facts is given for each of the genera concerned, together with suggestions for the solution of the problems involved.

Part 1. The Problems Raised by Genera Based upon Erroneously Determined Species

7. The problems associated with genera based upon erroneously determined species were discussed by the International Commission on Zoological Nomenclature at their meeting held in 1910 at Graz during the Eighth International Congress of Zoology. As the result of that discussion, Dr. C. W. Stiles, as Secretary to the Commission, opened a public debate on this question in a paper which appeared in *Science* in April 1911 under the title "What is the genotype of *X-us* Jones 1900, based upon a species erroneously determined as *albus* Smith 1890?" The statement of the case as given in that paper read as follows:—

Statement of case—Jones proposes the new genus *X-us*, 1900, type species *albus* Smith, 1890.

It later develops that *albus* Smith, 1890, as determined by Jones, 1900, is an erroneous determination.

What is the genotype of *X-us*, 1900; *albus* Smith, 1890, or the form erroneously identified by Jones as *albus* in 1900?

8. As the result of the publication of this paper extensive correspondence ensued between the Secretary to the Commission and specialists in various groups, and this correspondence was laid before the Commission at their meeting held at Monaco in 1913 during the meeting of the Ninth International Congress of Zoology. The Commission then decided, on Dr. Stiles's proposal, to refer the whole of the documents of the case to a specially constituted Committee consisting of Commissioners Hartert, Allen and Hoyle "for recommendation as to action."

9. The Report submitted by the Hartert–Allen–Hoyle Committee was as follows:—

Case of a genus based upon a wrongly determined species

The Committee is of the opinion that as a specimen is the type of a species, so a species is the type of a genus, and hence that when an author names a particular species as the type of a new genus it is to be assumed that it has been correctly determined. If a case should present itself in which it appears that an author has based his genus upon certain specimens rather than upon a species, it should be submitted to the Commission for consideration.

10. The foregoing Report was accepted by the Commission who thereupon adopted it and ordered it to be published as their *Opinion* on this subject.† Effect was given to this decision in March 1914 on the publication of *Opinion* 65.‡ The title and "summary" (i.e. the operative portion) of that *Opinion* are as follows:—

Case of a genus based upon erroneously determined species.

SUMMARY.—If an author designates a certain species as genotype, it is to be assumed that his determination is correct; if a case presents itself in which it appears that an author has based his genus upon certain definite specimens, rather than upon a species, it would be well to submit the case, with full details, to the Commission. At the present moment, it is difficult to lay down a general rule.

11. It will be noted that the "summary" of *Opinion* 65 deals in terms only with the special case where a genus is based upon particular specimens rather than a particular species although the "statement of the case"

† See Stiles, 1914, *Smithson. miscel. Publ.* 2256 : 169.

‡ Published in 1914, *ibid.* 2256 : 152–169.

upon which this *Opinion* is founded is concerned with the case of a genus based upon an erroneously determined species. Only for the first of such types of case does the "summary" lay down clearly the action to be taken. Unlike the "summary," the title to this *Opinion* is quite general, thereby indicating that the Commission intended that this *Opinion* should apply to all the types of case in which a genus may be based upon an erroneously determined species. It was undoubtedly to these other types of case that the observation in the last sentence of the "summary," that "at the present moment, it is difficult to lay down a general rule" was directed. Twenty-one years have gone by since *Opinion* 65 was published by the Commission and no further guidance has been issued to zoologists on this subject. Throughout this period it has therefore been necessary for systematists to deal with the various classes of case, other than the single one expressly covered in the "summary" of the above *Opinion*, as best they could in the light of the general principles deducible from that *Opinion*. Results obtained by such means are obviously liable to challenge until the International Commission as the final judicial authority gives a clear and unequivocal decision on the points of principle involved.

12. The lack of such a decision has not so far caused as much inconvenience as might have been expected since in the case of many groups the war of 1914-1918 materially delayed the detailed study of generic names in the light of the present Code, which in 1914 was only nine years old.* In recent years, however, a great deal of work has been done in this field and a stage has been reached where in some groups almost the only genera, the types of which are open to challenge, are genera, the names of which fall in one or other of the classes covered by *Opinion* 65. It is manifest therefore that if the Commission is to assist specialists to secure stability of nomenclature in their respective groups, one of their most urgent tasks is the elucidation of those parts of *Opinion* 65 which in 1914 they left to be dealt with by implication.

13. Most but not all of the problems involved will be settled automatically by the International Commission when they give decisions on the names in the Order Lepidoptera dealt with in Part 2 of the present paper. There are seven principal classes of case involved, including the class (class "C"), on which a definitive ruling was given in the "summary" of *Opinion* 65, and the class (class "A") dealt with in the "statement of the case" upon which that *Opinion* is based. The classes in question are the following:—

CLASS "A":—a genus of which the type was designated by the original author but there is doubt regarding the identity of the species so designated.

CLASS "B":—a genus of which the type was not designated by the original author of the genus and both that author and the author who subsequently designated the type referred to the species under an erroneously determined name.

CLASS "C":—a genus based upon certain specimens rather than upon a species.

CLASS "D":—a genus of which the type was designated by the original author but the species so designated was a "composite species."

CLASS "E":—a genus of which the type was not designated by the original author of the genus and the originally included species first designated as the type by a later author was a "composite species."

CLASS "F":—a genus of which the type was not designated by the original author of the genus and the species first designated as the type by a later author is a component species of a "composite species" included in the genus by the original author of the genus.

CLASS "G":—a genus of which the type was not designated by the original author of the genus and there is doubt whether the species first designated as the type by a later author is an originally included species.

* The present Code was adopted by the International Congress of Zoology at Berlin in 1901. The editing of the texts was not completed until 1904 and the report of the *Comité de Rédaction*, containing the text of the Code adopted at Berlin, was not published until 1905.

14. At this point it is necessary to refer briefly to two interpretations of *Opinion* 65, each of which is based, as it seems to me, upon a complete misunderstanding of the intention of the International Commission. These interpretations are :—

- (i) If the original author of a genus when designating its type or, if the type is not so designated, the later author when selecting the type, uses a wrongly determined trivial name for the species so designated or so selected, the type of the genus is in all circumstances the species to which properly belongs the specific trivial name erroneously so used.

Note :—In its most extreme form this interpretation claims that the type of a genus is not a species but the name of a species.

- (ii) The type of a genus is not and cannot be a species, since that is an abstract conception quite inappropriate for this purpose. The type of a genus, like the type of a species, must therefore be the actual specimen from which the first published description of the genus was drawn up.

Note :—This argument implies that a given specimen might be the holotype both of a species (see the second part of Section A of the Appendix to the International Code) and of a genus. It implies also that, if the author of a genus based his description upon two or more specimens, each of those specimens would be a paratype of the genus, if at the same time he designated a holotype, and in other cases would be a co-type of the genus.

15. Of these interpretations, interpretation (i) would be valid only if the International Commission had declared in *Opinion* 65 that in all circumstances the type of a genus is, and must remain, the species to which properly belongs the specific trivial name cited at the time when the type of the genus was designated by its author or selected by a subsequent author, irrespective of any evidence that may be available regarding the intentions of the author by whom the type was designated or selected as the case may be. But quite clearly this interpretation is the opposite of the intention of *Opinion* 65, for in the "summary" of that *Opinion* the International Commission expressly provided for the recognition of a mistake having been made by the author in one class of case and clearly implied that in suitable instances they were prepared to accord a similar recognition in other classes of case. Except on this basis, no explanation is possible of the request made in the "summary" that doubtful cases should be submitted "with full details" to the Commission.

16. The origin of interpretation (ii) is no doubt to be found in the reference in the "summary" of *Opinion* 65 to the possibility that a genus might be founded upon "certain definite specimens rather than upon a species." The context clearly shows however that these words were inserted in the "summary" not for the purpose of upholding, still less for enjoining, such a method of founding a genus but for the purpose of condemning it and of pointing out that, where the reviser of a genus encounters such a case, he must regard the identity of the type as open to doubt until the question has been referred to, and settled by, the International Commission. Like interpretation (i), interpretation (ii) must be rejected as fallacious.

17. The general question of what is the type of a genus is made perfectly clear both in Article 30 of the International Code, the opening words of which refer expressly to the "type species of genera" and in the addition to Article 25 approved by the International Zoological Congress at its meeting at Budapest in 1927, which in referring to the type of a genus, refers to the "type species" and to nothing else. Moreover, as pointed out in paragraph 9 above, the same proposition is stated with even greater precision in *Opinion* 65 itself, for in the Resolution adopted by the Commission at Monaco upon which that *Opinion* is founded and from which it derives its authority, it is expressly laid down that "as a specimen is the type of a

species, so a species is the type of a genus." The contention involved in interpretation (ii) that the type of a genus is or may be not a species but a specimen is therefore wholly untenable.

18. The foregoing, however, is not the question with which *Opinion* 65 is concerned. What the Commission had set themselves to consider—and what they therefore dealt with—in that *Opinion* was an entirely different problem and one concerned with procedure only. It was to define the action which the reviser of a genus should take when he finds (or thinks that he finds) evidence showing that that genus is based upon an erroneously determined species. The action enjoined upon revisers in that *Opinion* was that they should guide themselves by the preliminary assumption that the author who designates the type of a genus correctly identified the species so designated. The Commission went on however to qualify this injunction by the proviso that, if in the opinion of the reviser there are grounds for believing that the foregoing preliminary assumption is at variance with the facts, he should submit the case, with full details, to the International Commission.

19. *Opinion* 65 is imperfect not because its meaning is obscure but because the wording of the "summary" and therefore the explicit, as contrasted with the implicit, scope of that *Opinion* is narrower than the title of the *Opinion* which (as already observed) is quite general and covers the whole range of genera based upon erroneously determined species. The position in regard to this *Opinion* is somewhat similar to that which has arisen with regard to *Opinion* 11 (relating to the interpretation of Latreille's *Considérations générales* of 1810). The title of that *Opinion* indicated that it was intended to define the extent to which Latreille designated genotypes in that work, but the "summary" dealt only with part of the problems involved and left the remainder to be inferred. To remedy this situation, the Commission are now being asked to render an *Opinion* supplementary to *Opinion* 11 dealing in express terms with those parts of the subject which were not clearly defined in that *Opinion*. Both *Opinion* 11 and *Opinion* 65 give valuable guidance on the subjects with which they are respectively concerned but neither *Opinion* covers the whole of the ground. The difficulties in regard to *Opinion* 11 will be overcome if the Commission now agree to render the proposed supplementary *Opinion*.² So also will the difficulties which have arisen in regard to *Opinion* 65 if in that case also the Commission agree to render a supplementary *Opinion* dealing with those parts of the subject which were not expressly covered when that *Opinion* was drafted over twenty years ago.

20. I accordingly recommend that the International Commission should render an *Opinion* supplementary to *Opinion* 65:—

- (i) re-affirming the proposition laid down by the Commission at Monaco ‡ that "as a specimen is the type of a species, so a species is the type of a genus";
- (ii) declaring that an author when considering a genus should start with the assumption that the original author of the genus correctly identified both the type species, if he designated a species as such, and also the other species placed by him in that genus, and further that, where the original author did not designate a type, the first author

‡ See paragraphs 9 and 10 above.

² The proposal to render an *Opinion* supplementary to *Opinion* 11 was approved by the International Commission on Zoological Nomenclature at their meeting held at Lisbon on the afternoon of 16th September 1935 (Lisbon Session, 3rd Meeting, Conclusion 1). That decision has since been embodied in *Opinion* 136 (see 1939, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 13–20).

to select one of the originally included species as the type also correctly identified the species so selected;

- (iii) indicating that, where in the opinion of the reviser of a genus there is evidence that either or both of the foregoing assumptions are at variance with the facts, the identity of the type of the genus must for the time being be regarded as doubtful and that accordingly a reviser encountering such a case should submit it with full details to the International Commission for decision.

21. These are the principles which appear to me to be inherent in *Opinion* 65 and which I have adopted in formulating for the consideration of the International Commission the recommendations in regard to the genera in the Order Lepidoptera set out in Part 2 of the present paper. It follows therefore that, if the Commission approve those proposals, it will be because they have accepted the foregoing interpretation of *Opinion* 65. Equally, if the Commission approve this interpretation of that *Opinion*, they will find no difficulty in approving the proposals submitted in regard to the individual cases dealt with in Part 2.

22. The object of the International Commission in indicating in *Opinion* 65 that doubtful cases should be referred to them with full details can only have been to secure absolute finality regarding the identity of the type of any genus so submitted. If this object is to be secured, decisions in such cases will need to be taken by the Commission not under their ordinary powers but under the plenary powers conferred upon them by the Ninth International Zoological Congress at Monaco in 1913, for it is only by this means that their decision in such a matter can be placed beyond the reach of subsequent dispute.

23. To sum up this part of the case, the object of the present application is to request the International Commission on Zoological Nomenclature to render an *Opinion* supplementary to *Opinion* 65, re-affirming the principle quoted in sub-paragraph (i) of paragraph 20 above and prescribing the method of procedure indicated in sub-paragraphs (ii) and (iii) of that paragraph.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The questions raised in Commissioner Hemming's application were considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935 during the Sixth International Congress of Entomology. The International Committee unanimously agreed to recommend the International Commission on Zoological Nomenclature to render an *Opinion* clarifying the meaning of *Opinion* 65 in the manner proposed and, as regards the genera in the Order Lepidoptera (Class Insecta) dealt with in Part 2 of that application, to render *Opinions* declaring that the types of those genera were the species indicated in that paper, *i.e.* the species intended by the original authors concerned and not the species to which properly belong the trivial names erroneously used for those species by the authors concerned.³

³ For the numbers of the *Opinions* subsequently rendered by the International Commission on Zoological Nomenclature in regard to the generic names here referred to, see footnote 1.

4. The above and other resolutions adopted by the International Committee at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

5. The question of the interpretation of *Opinion* 65 and the associated question of the types of the genera in the Order Lepidoptera (Class Insecta) dealt with in Commissioner Hemming's application were considered by the International Commission on Zoological Nomenclature at their meeting held at Lisbon on the morning of Monday, 16th September 1935. In the course of the discussion on the general principles involved, attention was drawn to the following considerations:—

- (a) The difficulties that had arisen in regard to the interpretation of *Opinion* 65 were largely due to technical faults in that *Opinion* due to the fact that the "summary" of that *Opinion* was drawn in much narrower terms than those of the decision taken by the International Commission when at Monaco in March 1913 they had agreed to render an *Opinion* on this subject.
- (b) The "summary" of *Opinion* 65 was restricted to the special case where the author of a genus designated its type but in reality based his genus upon certain definite specimens rather than on a species and where it was later found that the specimens so used by the author of the genus were not referable to the species designated by that author as the type. On the other hand, the decision to render this *Opinion* was in form a decision to accept, adopt, and publish the report of a special Committee of Three Commissioners (the Hartert-Allen-Hoyle Committee). The proposition in that report (and therefore in the decision taken by the Commission at Monaco in 1913) was that "as a specimen is the type of a species, so a species is the type of a genus." For some (now unascertainable) reason this proposition had been omitted from the "summary" of *Opinion* 65. The result had been unfortunate, since this omission, coupled with the reference in the Monaco decision and (consequently) in the "summary" to *Opinion* 65 to the possibility of an author basing a genus upon "certain definite specimens," had lent some apparent support to the proposition that the type of a genus was or might be a specimen rather than a species.
- (c) Further, the decision taken at Monaco covered a narrower field than did the documents attached to the "statement of the case" on which the discussion leading up to that decision was based, for the case so stated was not confined to the class of case where the misidentified species had been designated as the type by the original author but was applicable also to the case where the misidentified species became the type by being selected as such by a later author. The title of the *Opinion* "Case of a genus based upon erroneously determined species" was wider even than the "statement of the case" and clearly covered every type of case in which a genus could be based upon an erroneously determined species.

- (d) What was now required was an *Opinion* setting out in the clearest and most unambiguous manner possible exactly what was the scope of the decision intended to be conveyed by *Opinion* 65 and the procedure that should be adopted by zoologists when confronted with cases falling within the scope of that *Opinion* as so defined. Only by this means would an end be put to the doubts and perplexities caused by *Opinion* 65 in its present form.

6. In view of the fact that a decision on either part of the present application would inevitably determine also the decision to be taken on the other part, the International Commission considered the two parts together. Their decision thereon was as follows (Lisbon Session, 2nd Meeting, Conclusion 23) :—

- (a) to re-affirm the decision taken at their Monaco Session in 1913 that Article 30 of the International Code is to be interpreted as meaning that, as a specimen is the type of a species, so a species is the type of a genus; to interpret *Opinion* 65 as directing (i) that, in the absence of evidence to the contrary, it is to be assumed that the original author of a genus correctly identified the species assigned by him thereto, whether the species in question was designated as the type of the genus by that author or, no species having been so designated, is a species selected as the type by a later author acting under Article 30(g) of the Code, and (ii) that in the latter event it is to be further assumed that the later author correctly identified the species so selected, but (iii) that, where there is evidence that either or both of these assumptions is at variance with the facts, the case should be submitted with full details to the International Commission on Zoological Nomenclature, and (iv) that, pending their decision thereon, the genus should be regarded as of doubtful status;
- (b) in the light of (a) above, to suspend the rules in the case of the undermentioned genera and to declare the types of the genera in question to be the species indicated below :—

Name of genus	Type of genus
(1) <i>Lycaeides</i> Hübner, [1819], ⁴ <i>Verz. bek. Schmett.</i> (5) : 69	<i>Papilio argyrognomon</i> Bergstrasser, [1779], <i>Nom. Ins.</i> 2 : 76 (the species misidentified as <i>Papilio argus</i> Linnaeus, 1758, by Schiffermüller & Denis, 1775, and by Hübner and later authors)
(2) <i>Agriades</i> Hübner, [1819], <i>Verz. bek. Schmett.</i> (5) : 68 and <i>Latorina</i> Tutt, 1909, <i>Ent.</i> <i>Rec.</i> 21 : 108	<i>Papilio glandon</i> Prunner, 1798, <i>Lepid. pedemont.</i> : 76 (the species misidentified as <i>Papilio orbitulus</i> Prunner, 1798, by Esper, [1799], by Hübner and other authors)

⁴ As explained in note (33) on page 68 of vol. 1 of *Bull. zool. Nomencl.*, it was believed at the time of the Lisbon Session that signatures 5 to 15 of Hübner's *Verz. bek. Schmett.* were published in 1823. With the discovery and examination of Hübner's surviving manuscripts, it has since been ascertained that of these signatures nos. 5 to 11 were published in 1819 (see *Opinion* 150 in 1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 161-168). The dates were corrected in the *Official Record of the Proceedings* of the International Commission at their Lisbon Session as agreed upon at the Fifth Meeting of the Commission at that Session (Conclusion 1(c)).

Name of genus	Type of genus
(3) <i>Polyommatus</i> Latreille, 1804, <i>Nouv. Dict. Hist. nat.</i> 24 (Tab.) : 185, 200	<i>Papilio icarus</i> Rottemburg, 1775, <i>Naturforscher</i> 6 : 21 (the species misidentified as <i>Papilio argus</i> Linnaeus, 1758, by Latreille, 1804)
(4) <i>Euchloë</i> Hübner, [1819], <i>Verz. bek. Schmett.</i> (6) : 94	<i>Euchloë ausonia</i> Hübner var. <i>esperii</i> Kirby, 1871, <i>Syn. Cat. diurn. Lep.</i> : 506 (the species misidentified as <i>Papilio belia</i> Linnaeus, 1767, by Stoll (<i>in Cramer</i>), and by Esper and Hübner)
(5) <i>Princeps</i> Hübner, [1807], <i>Samml. exot. Schmett.</i> 1 : pl. [116] and <i>Orpheides</i> Hübner, [1819], <i>Verz. bek. Schmett.</i> (6) : 86	<i>Papilio demodocus</i> Esper, [1798], <i>Ausl. Schmett.</i> (14) : 205 (first described by Linnaeus in 1764 as <i>Papilio demoleus</i> , a name given by him in 1758 to another species; similarly misidentified by Hübner)
(6) <i>Carcharodus</i> Hübner, [1819], <i>Verz. bek. Schmett.</i> (7) : 110 and <i>Spilothyrus</i> Duponchel, 1835, <i>in Godart, Hist. nat. Lépid. France Suppl.</i> 1 (Diurnes) : 415	<i>Papilio alceae</i> Esper, [1780], <i>Die Schmett.</i> 1 (Bd. 2) <i>Forts. Tagschmett.</i> : 4 pl. 51 fig. 3 ♀ (the species misidentified as <i>Papilio malvae</i> Linnaeus, 1758, by Denis and Schiffermüller, 1775, and by Hübner and Duponchel)

(c) to render *Opinions* in the sense of (a) and (b) above.⁵

7. At the meeting of the Commission held on Tuesday, 17th September 1935 (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was there-

⁵ The above is an extract from the *Official Record of Proceedings of the International Commission* at their Session held at Lisbon in 1935 (see 1943, *Bull. zool. Nomencl.* 1 : 23-25).

fore concentrating upon those matters that appeared the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same way, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in the report.

8. The decisions involving suspension of the rules in the case of the names dealt with in paragraph (b) of Conclusion 23 of the Second Meeting of the Lisbon Session (quoted in paragraph 6 above) were embodied in paragraph 29 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. It was not found possible in the time available to include in the report the decision recorded in paragraph (a) of Conclusion 25, which was therefore left to be dealt with under the procedure referred to in paragraph 7 above. The Commission's report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on Saturday, 21st September 1935, the last day of the Congress.

9. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session, the action proposed in regard to the generic names specified in paragraph (b) of Conclusion 23 of the Second Meeting of that Session was duly

advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at their meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁶ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of the names specified in paragraph (b) of Conclusion 23 of the 2nd Meeting of the Lisbon Session of the International Commission, no communication of any kind has been received by the International Commission objecting to the suspension of the rules in the manner proposed.

10. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

11. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session.

12. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

13. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological

⁶ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission, and

WHEREAS the first portion of the Twenty Third Conclusion of the Second Meeting of the International Commission on Zoological Nomenclature at their Lisbon Session held in September 1935, that is to say the portion set out in the summary to the present *Opinion*, neither requires, in order to be valid, the suspension of the rules nor involves a reversal of any former *Opinion* rendered by the Commission, while the second portion of the said Conclusion does require such suspension of the rules; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the second portion of the said Twenty Third Conclusion has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the decision recorded in the said Twenty Third Conclusion and at that Session twelve (12) Members of the Commission signified their concurrence therein either personally or through Alternates;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by virtue of holding the said Office of Secretary to the International Commission, hereby announce on behalf of the International Commission, acting for the International Congress of Zoology, the present *Opinion* relating to the matters dealt with in the first portion of the Twenty Third Conclusion of the Second Meeting of the International Commission at their Session held at Lisbon in September 1935, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Eight (*Opinion* 168) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fifteenth day of July, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above ; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943. Seven Parts of volume 1 have now been published. Further Parts are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-40, containing *Declarations* 10-12 and *Opinions* 134-170, have now been published. Further Parts will be published shortly.

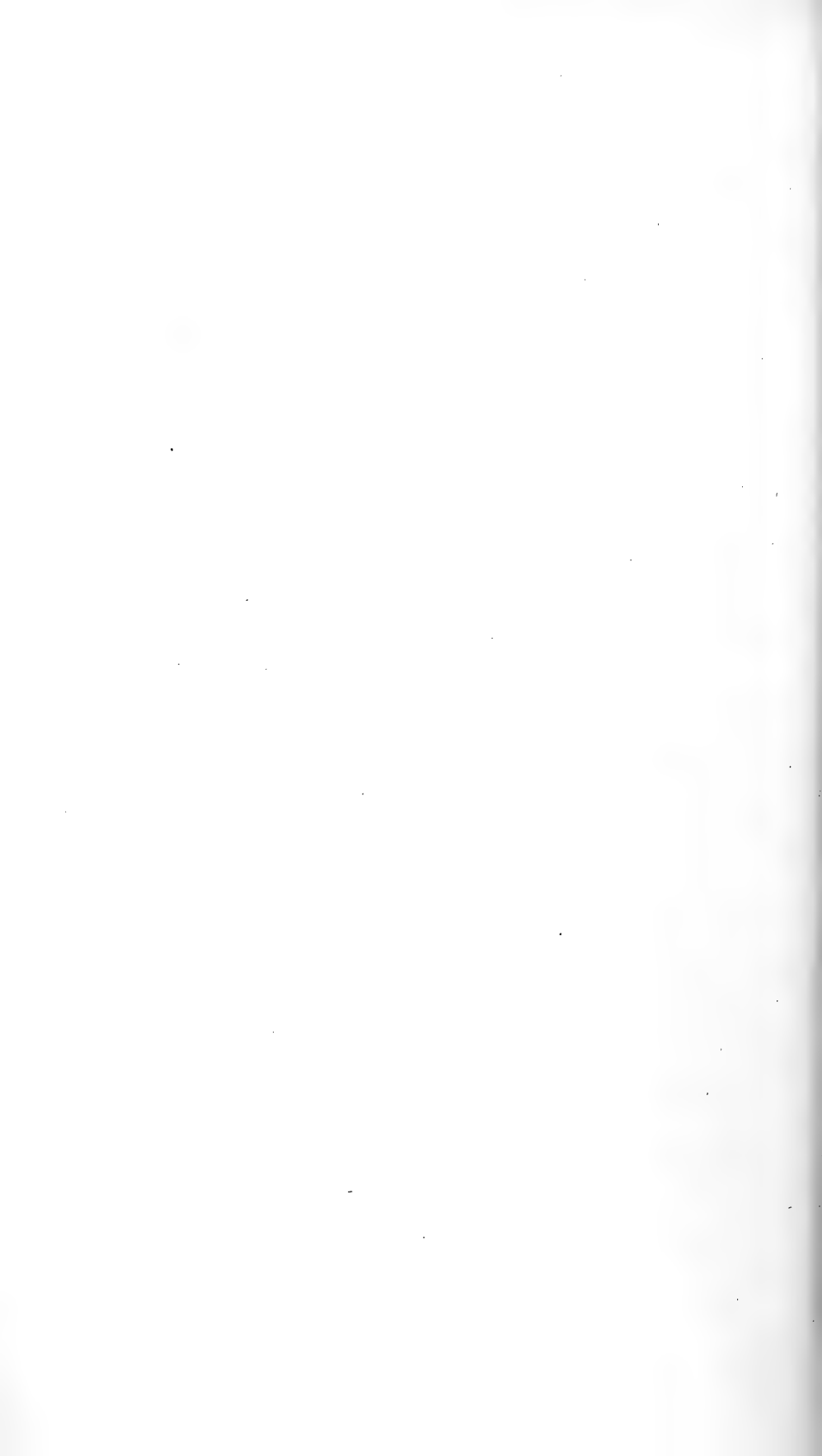
Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-11 (containing *Opinions* 182-192) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £969 16s. 1d. were received up to 30th June 1945. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

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PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.



Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 39. Pp. 431-442.

OPINION 169

On the type of the genus *Lycaeides* Hübner,
[1819] (Class Insecta, Order Lepidoptera), a
genus based upon an erroneously determined
species

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price three shillings

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OPINION 169.

ON THE TYPE OF THE GENUS *LYCAEIDES* HÜBNER, [1819]
(CLASS INSECTA, ORDER LEPIDOPTERA), A GENUS BASED
UPON AN ERRONEOUSLY DETERMINED SPECIES.

SUMMARY.—Under suspension of the rules *Papilio argyrognomon* Bergsträsser, [1779], is hereby designated as the type of *Lycaeides* Hübner, [1819] (Class Insecta, Order Lepidoptera).

I.—THE STATEMENT OF THE CASE.

In 1935 Commissioner Francis Hemming prepared for the consideration of the International Commission on Zoological Nomenclature a paper dealing with the interpretation of *Opinion* 65 relating to the determination of the types of genera based upon erroneously determined species, with special reference to certain genera in the Order Lepidoptera (Class Insecta). One of the genera in question was *Lycaeides* Hübner, [1819], in the family LYCAENIDAE.

2. The portion of the foregoing paper¹ relating to the generic name *Lycaeides* Hübner reads as follows:—

(1) *LYCAEIDES* Hübner, [1819]²

Hübner, [1819], *Verz. bek. Schmett.* (5) : 69
Scudder, 1872, 4th *Ann. Rep. Peabody Acad. Sci.* 1871 : 54
id., 1875, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 208

25. Hübner established this genus for four species, of which the first two (nos. 670 and 671) have suffered from great confusion in their nomenclature.

¹ The text of the first part of this paper (paragraphs 1–23) relating to the interpretation of *Opinion* 65 is quoted in full in *Opinion* 168 (see pp. 411–430 above). The portions of the second part relating to the types of the other genera there discussed are quoted in *Opinions* 173 (*Agriades* Hübner), 175 (*Polyommatus* Latreille), 177 (*Euchloë* Hübner), 179 (*Princeps* Hübner), and 181 (*Carcharodus* Hübner).

² At the time when the paper from which this is an extract was written, it was thought (Hemming, 1934, *Gen. Names hol. Butt.* 1 : 16–17) that pp. 65–240 of Hübner's *Verz. bekannt. Schmett.* were published in 1823. That date was accordingly assigned to the present name. The examination of Hübner's surviving manuscripts has since shown that the correct date is 1819 (see *Opinion* 150 published in 1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2 : 161–168). This correction has accordingly been made, wherever necessary, in the extract from Commissioner Hemming's application quoted in the present *Opinion*.

The entries given by Hübner for the four nominal species placed by him in this genus are as follows :—

670. *Lycaeides Argus* Linn. Syst. Pap. 232. Hübner. Pap. 316–318.
 671. *L. Aegon* Schiff. Verz. Pap. N. 15. Hübner. Pap. 313–315.
 672. *L. Optilete* Knoch, Beytr. I. Pap. 3. Hübner. Pap. 310–312.
 673. *L. Cyparissus* Hübner. Pap. 654–657. Nanus Herbst. 312, 1, 2.

26. Hübner never designated types. In consequence, the types for all his genera (other than the monotypical genera) require to be determined under Article 30 of the Code. The first author to select a type for the present genus was Scudder (1872) who designated *Papilio argus* Linnaeus, 1758. This selection was repeated by that author in his great "Historical Sketch of the Generic Names proposed for Butterflies" published in 1875.

27. In view of the fact that Hübner included *Papilio argus* Linnaeus in the genus *Lycaeides* Hübner, the first assumption to be made in accordance with the directions given in *Opinion* 65³ is that Hübner correctly identified *Papilio argus* Linnaeus when he placed it in this genus. The second assumption to be made in accordance with the same directions is that Scudder in selecting that species as the type also correctly identified it.

28. The next stage is to determine whether either or both of these assumptions are correct :—

(a) *Hübner's identification of Papilio argus Linnaeus, 1758*

29. The nomenclature of the species included by Hübner in the genus *Lycaeides* Hübner as *Papilio argus* Linnaeus, 1758 (Hübner's species no. 670) is difficult to disentangle owing to the existence of two other very similar palaeartic species, with which *Papilio argus* Linnaeus has frequently been confused. The first of these species to be named (species no. 1) was the one to which in 1758 (*Syst. Nat.* (ed. 10) 1: 483) Linnaeus gave the name *Papilio argus*. This is the species which occurs in Great Britain where it is known as the "Silver-studded Blue." Species no. 2, which does not occur in Great Britain but is widely distributed in Continental Europe, was first named *Papilio idas* (from a blue female) by Linnaeus in 1761 (*Faun. svec.* (ed. 2) : 284). But that name is invalid, since it is a homonym of *Papilio idas* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1: 488). The first authors to give structural differences distinguishing these two species from one another were Schiffermüller & Denis (1775, *Schmett. Wien.* : 184). Most unfortunately, however, those authors made the mistake of renaming species no. 1, to which they applied the new name *Papilio aegon*, and of identifying species no. 2 with *Papilio argus* Linnaeus. This error was undetected for nearly 100 years until in 1871 Kirby (*Syn. Cat. diurn. Lep.* : 357) pointed out that the name *Papilio argus* Linnaeus belonged to species no. 1 and not to species no. 2. Kirby therefore quite correctly adopted the name *Papilio argus* Linnaeus for species no. 1, to which he sank the name *Papilio aegon* [Schiffermüller & Denis]⁴ as a synonym. Kirby realised that in these circumstances it would be necessary to find a name for species no. 2, which he had just deprived of the name *Papilio argus* Linnaeus, to which it had never been entitled. Kirby therefore looked round the old literature and applied to species no. 2 the name *Papilio argyrognomon* Bergsträsser, [1779]

³ Since the passage here quoted was written, the International Commission have confirmed and amplified the decision given in *Opinion* 65. This later decision has been embodied in *Opinion* 168 (see pp. 411–430 above).

⁴ The *Schmett. Wien.* of Denis & Schiffermüller, which appeared in 1775 (a year before the issue of the same work under the title *Verzeichniss der Schmetterlinge der Wiener Gegend*), was published anonymously. The names of the authors are, therefore, here cited in square brackets.

(*Nom. Ins.* 2 : 76 pl. 46 figs. 1, 2 ♀), that being, as it seemed to him, the oldest available name for that species.

30. The third of the very similar species referred to above was not distinguished as such until in 1917 Chapman established its existence on structural characters and applied to it the new name *Lycæna aegus* Chapman (1917, in Oberthür, *Et. Lép. comp.* 14 : 42-53 pl. 7 figs. 19-21 (genit.), pl. 8 figs. 22-24 (genit.), pl. 13 fig. 39 (genit.), pl. 19 fig. 57 (*androconia*), pl. 20 fig. 60). Later, it was discovered that names had already been applied to other subspecies of species no. 3 by authors who had been under the impression that they were dealing with subspecies of species no. 2. There is even the possibility⁵ that the name *Papilio argyrognomon* Bergsträsser applies to the relatively scarce local species no. 3 and not to the commoner and more widely distributed species, species no. 2. The two species are very similar to one another and are undoubtedly congeneric; both occur in Germany, France, and Switzerland. It must be accepted that Hübner, when compiling the *Verzeichniss bekannter Schmettlinge* [sic], probably had before him specimens of both species. Be this as it may, Hübner's species no. 670 (*Lycæides argus*) certainly covered both species no. 2 and species no. 3, since (as explained above) it was not until 1917 that the distinction between the two was recognised.

31. It will be seen from paragraphs 29 and 30 above :—

- (i) that Hübner correctly identified *Papilio aegon* [Schiffmüller & Denis], 1775, with species no. 1 but was at fault in believing that that name was the oldest available name for species no. 1;
- (ii) that Hübner misapplied the name *Papilio argus* Linnaeus, 1758 (which is properly applicable to species no. 1), and applied it to what can only be regarded as a composite of species no. 2 and species no. 3.

(b) *Scudder's identification of Papilio argus Linnaeus, 1758*

32. As pointed out in paragraph 26 above, Scudder designated *Papilio argus* Linnaeus as the type of *Lycæides* Hübner. It is necessary therefore to determine the identity of the species so designated by Scudder. Did he correctly identify *Papilio argus* Linnaeus, 1758, with species no. 1 (i.e. did he select as the type Hübner's species no. 671 (*Lycæides aegon*))? Or did he (like Hübner) misidentify *Papilio argus* Linnaeus with species no. 2 (and the then unidentified species, species no. 3) (i.e. did he select as the type Hübner's species no. 670 (*Papilio argus*))?

33. This question would not be easy to answer with certainty if Scudder's paper of 1872 had been the only source of information available, but fortunately (as pointed out in paragraph 26 above) Scudder dealt with this subject again in 1875. This latter paper provides a categorical answer to this question. First, Scudder re-affirmed his action of 1872, thereby showing that he was using the name *Papilio argus* Linnaeus in the same sense as he had used it in his 1872 paper. Second, he used throughout the 1875 paper the nomenclature adopted in the (then recently published) *Syn. Cat. diurn. Lep.* of Kirby (1871). Third, he made a practice throughout that paper of citing the name of each species as given by the author of each genus, followed (where that name differed from that used for that species by Kirby) by the name so used by Kirby. Fourth, in the case of *Lycæides*

⁵ This possibility was at this time already under examination by Beuret, who in the Part of *Lambillionea* for August-September 1935 published a paper (*Lambillionea* 35 : 162-172) in which he definitely established that the species described and figured (from a blue female) by Bergsträsser as *Papilio argyrognomon* in 1779 was species no. 3 and not, as previously universally supposed, species no. 2.

Hübner, he gave as the type "*argus (argyrognomon)*," thereby signifying that the species which he designated as the type was (i) the species to which Hübner had applied incorrectly the name *Papilio argus* Linnaeus and (ii) that the correct name was *Papilio argyrognomon* Bergsträsser, the name used for it by Kirby in 1871. In other words, Scudder intended to select as the type of this genus not species no. 1 (the true *Papilio argus* Linnaeus) but the species included by Hübner in the genus *Lycaeides* Hübner under the name *Papilio argus* Linnaeus, the true name of which was (in his and Kirby's opinion) *Papilio argyrognomon* Bergsträsser.

(c) *Conclusion*

34. The foregoing analysis shows beyond possibility of question :—

- (i) that, in the case of the genus *Lycaeides* Hübner, Hübner misidentified *Papilio argus* Linnaeus and that the preliminary assumption that his "determination of the species is correct" which is enjoined by *Opinion* 65,⁶ is in this case unfounded;
- (ii) that, when selecting Hübner's "*Papilio argus* Linnaeus" as the type of *Lycaeides* Hübner, Scudder recognised that Hübner had made a mistake in identification and that Scudder intended the type to be not the true *Papilio argus* Linnaeus but the species misidentified therewith by Hübner;
- (iii) that, in consequence of (i) above, this is a case which falls to be dealt with under the second part of *Opinion* 65,⁶ i.e. that it is a case which should be submitted, "with full details" to the International Commission on Zoological Nomenclature.

35. If the wholly irrational course were followed of adopting as the type of *Lycaeides* Hübner not the species intended by Hübner when he made the entry "*Lycaeides Argus* Linn." but the species to which the name *Papilio argus* Linnaeus properly belongs, the result would be :—

- (i) that *Lycaeides* Hübner, [1819], would become an objective synonym of *Plebejus* Kluk, 1802, *Zwierz. Hist. nat. pœz. gospod.* 4 : 89, of which also *Papilio argus* Linnaeus is the type;
- (ii) that *Papilio argyrognomon* Bergsträsser and its allies, which (in my view and that of most specialists who have studied the subject) are generically distinct from *Papilio argus* Linnaeus and which cannot therefore be referred to *Plebejus* Kluk (of which *Papilio argus* Linnaeus is the type) would be deprived of the generic name *Lycaeides* Hübner now commonly used for them;
- (iii) that, as there is no other generic name available, a new name would need to be proposed for *Papilio argyrognomon* Bergsträsser and its allies.

(d) *Action recommended*

36. The consequences set out above would be an absurdly heavy price to pay for the sake of maintaining the thesis that it must be assumed that an author's determination of a species is correct, even where, as here, there is the clearest evidence to the contrary. No one can doubt that it was to meet this kind of case that the International Commission laid it down in *Opinion* 65⁶ that cases of doubt should be submitted to them "with full details."

37. All these artificial difficulties would disappear if the International Commission would render an *Opinion* declaring that the type of *Lycaeides* Hübner is *Papilio argyrognomon* Bergsträsser, i.e. that the type of this

⁶ This proposition was later repeated and amplified in *Opinion* 168. See footnote 3.

genus is the species selected by Scudder as the type from among the original species placed in this genus by Hübner under the erroneous determination *Papilio argus* Linnaeus. This is the course which I now ask the International Commission to take. For the reasons explained in paragraph 22 above,⁷ I consider that, in order to put an end to any possible controversy, this action should be taken by the International Commission under their "plenary powers."

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The questions raised in Commissioner Hemming's application were considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935 during the Sixth International Congress of Entomology. The International Committee unanimously agreed to recommend the International Commission on Zoological Nomenclature to render an *Opinion* clarifying the meaning of *Opinion* 65 in the manner proposed in the application.⁸ Having reached this conclusion on the general question involved, the International Committee examined the particular cases in the Order Lepidoptera submitted in the same paper. The International Committee considered that, if (as they had agreed to recommend) the International Commission on Zoological Nomenclature agreed to render an *Opinion* clarifying *Opinion* 65 in the manner proposed in the application, the only possible course as regards the genus *Lycaeides* Hübner, [1819], would be for the International Commission to render an *Opinion* declaring that *Papilio argyrognomon* Bergsträsser, [1779], to be its type. The International Committee agreed therefore to recommend the International Commission to proceed in this way under their plenary powers.

4. The above and other resolutions adopted by the International Committee at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

5. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth

⁷ The passage here referred to is quoted in the "statement of the case" embodied in *Opinion* 168 (see page 419 above).

⁸ For a full account of the subsequent history of the portion of this petition relating to the interpretation of *Opinion* 65 and the decision of the International Commission on Zoological Nomenclature thereon, see *Opinion* 168 (pp. 411-430 above).

International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Lycaeides* Hübner, [1819], was among the cases in question and was accordingly dealt with under the above procedure.

6. At the same meeting as that referred to above (Lisbon Session, 2nd Meeting, Conclusion 23), the International Commission agreed upon certain clarifications of *Opinion* 65 in regard to the status of genera based upon erroneously determined species (Lisbon Session, 2nd Meeting, Conclusion 23 (a) and (c)).⁹ Having thus cleared the ground regarding the principles involved, the Commission proceeded to consider the present and certain other cases in the Order Lepidoptera and the resolutions in regard thereto submitted by the International Committee on Entomological Nomenclature. After careful consideration of the present case, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 23 (b) and (c))¹⁰ :—

⁹ See footnote 8.

¹⁰ Only those portions of Conclusion 23 which relate to the present case are here quoted. For the full text of Conclusion 23, see 1943, *Bull. zool. Nomencl.* 1 : 23-25.

(b) in the light of (a) above, to suspend the rules in the case of the under-mentioned genera and to declare the types of the genera in question to be the species indicated below :—

Name of genus		Type of genus
(1) <i>Lycaeides</i>	Hübner,	<i>Papilio argyrognomon</i> Berg-
[1819], ¹¹	Verz. bek.	strässer, [1779], <i>Nom. Ins.</i> 2 : 76
Schmett. (5) : 69		(the species misidentified as <i>Papilio</i>
		<i>argus</i> Linnaeus, 1758, by Schiffer-
		müller & Denis, 1775, and by
		Hübner and later authors)

(c) to render *Opinions* in the sense of (a) and (b) above.

7. The foregoing decisions were embodied in paragraph 29 of the report which at their meeting held on the morning of Wednesday, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 6), the International Commission unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

8. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 5 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.¹² In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed

¹¹ As explained on page 68 of vol. 1 of *Bull. zool. Nomencl.*, it was believed at the time of the Lisbon Session that this name was published in 1823. For the reasons explained in footnote 2, the date has been corrected to 1819, the year in which it is now known that this name was published.

¹² See *Declaration 5* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

9. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

10. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

11. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty Nine (*Opinion* 169) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE at Aldeburgh in the County of Suffolk, this first day of September, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

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Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely:—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-40, containing *Declarations* 10-12 and *Opinions* 134-170, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-11 (containing *Opinions* 182-192) have now been published. Further Parts will be published as soon as possible.

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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 40. Pp. 443-458.

OPINION 170

Need for the suspension of the rules for *Prosopis*
Jurine, 1807 (Class Insecta, Order Hymenoptera)
not at present established

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1945

Price four shillings

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President : Dr. Karl Jordan, Ph.D., F.R.S. (United Kingdom).

Vice-President : Dr. James L. Peters (U.S.A.).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

The Members of the Commission

Class 1946

Herr Professor Dr. Walter ARNDT (Germany).

Dr. William Thomas CALMAN (United Kingdom).

Professor Teiso ESAKI (Japan).

Professor Béla von HANKÓ (Hungary).

Dr. Tadeusz JACZEWSKI (Poland).

Dr. Norman R. STOLL (U.S.A.).

Class 1949

Senor Dr. Angel CABRERA (Argentina).

Mr. Francis HEMMING (United Kingdom) (*Secretary to the Commission*).

Dr. Karl JORDAN (United Kingdom) (*President of the Commission*).

Dr. Joseph PEARSON (Australia).

Monsieur le Docteur Jacques PELLEGRIN (France).

Herr Professor Dr. Rudolf RICHTER (Germany).

Class 1952

Senhor Dr. Afranio do AMARAL (Brazil).

Professor James Chester BRADLEY (U.S.A.).

Professor Ludovico di CAPORACCO (Italy).

Professor J. R. DYMOND (Canada).

Dr. James L. PETERS (U.S.A.) (*Vice-President of the Commission*).

Dr. Harold E. Vokes (U.S.A.).

Secretariat of the Commission :

British Museum (Natural History), Cromwell Road, London, S.W. 7.

Publications Office of the Commission :

41, Queen's Gate, London, S.W. 7.

Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.



OPINION 170.

NEED FOR THE SUSPENSION OF THE RULES FOR *PRO-SOPIS* JURINE, 1807 (CLASS INSECTA, ORDER HYMENOPTERA) NOT AT PRESENT ESTABLISHED.

SUMMARY.—Consideration has been given to a proposal submitted by the International Committee on Entomological Nomenclature in favour of the use by the International Commission on Zoological Nomenclature of their plenary powers to suppress the names *Hylaeus* Fabricius, 1793, and *Prosopis* Fabricius, [1804–1805], and to designate *Sphex signatus* Panzer, [1798], as the type of *Prosopis* Jurine, 1807 (Class Insecta, Order Hymenoptera). This proposal was approved by the International Commission at their Session held at Lisbon in 1935, subject to its being advertised for a period of one year before an *Opinion* was rendered thereon. The representations received as the result of that advertisement have elicited certain data and considerations that had not been clearly brought out at the Commission's Lisbon Session.¹ In consequence, it has been decided to defer a final decision on this case until after a thorough re-examination of all available evidence. Zoologists who either favour, or are opposed to, the suspension of the rules in this case are accordingly invited to communicate with the Commission.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Order Hymenoptera in all countries, the following petition signed by Professor Chester Bradley and 59 other hymenopterists was submitted to the International Commission:—

THE CASE OF *HYLAEUS* VERSUS *PROSOPIS*

The genus *Prosopis*, type genus of the family of bees PROSOPIDAE, dates from Jurine, 1801² (Panzer: Erlangen List). The type is *Sphex signatus*

¹ See paragraph 13(a) of the present *Opinion*.

² As explained in paragraph 7 below, the International Commission at Lisbon suppressed the "Erlangen List" (see *Opinion* 135, published in 1939, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2: 7–12). The suppression of the "Erlangen List" eliminated the name *Prosopis* Jurine, 1801, published in it. The next occasion on which the name *Prosopis* was published was in [1804–1805], when it was published by Fabricius in his *Syst. Piezat.*: 293.

Panzer by designation of Morice and Durrant, 1914. That species is believed to be identical with *bipunctata* Fabr.

Hylaeus Fabr., 1793, has for its type, by designation of Latreille, 1810, *annulatus* Fabr. = *borealis* Nylander.

The types of *Prosopis* and *Hylaeus* being congeneric, the two genera are synonyms, and have always been so considered. But unfortunately *Prosopis* came into much more general use than *Hylaeus*.

Leach in 1815 used *Prosopis* as type for a plural group name (PROSOPIDAE) and Kirby, 1837, introduced the family termination, PROSOPIDAE. Viereck, 1916, was the first to use *Hylaeus* as the basis for a plural name, HYLAEIDAE.

In order to conserve the familiar generic and family names *Prosopis* and PROSOPIDAE, the undersigned request the Commission of Zoological Nomenclature to take the following action:

- (1) suspend the rules in the case of the generic names *Hylaeus* and *Prosopis*;
- (2) permanently reject the name *Hylaeus* Fabr., 1783;
- (3) validate *Prosopis* Jurine, 1801 (or Jurine, 1807), type *Sphex signata* Panzer;
- (4) add to the *Official List of Generic Names in Zoology*: *Prosopis* Jurine, type *Sphex signata* Panzer, for the genus of bees ordinarily known by that name.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission:—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	H. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiy
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	E. Kruger †
W. M. Mann	P. Roth	W. Hellen †
R. Friese	E. Enslin	F. X. Williams †
H. von Ihering †	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balduf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case was circulated to the members of the International Commission on Zoological Nomenclature in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in the second week of September 1935, during the Sixth International Congress of Entomology. After careful consideration, the International Committee formed the conclusion that it was desirable that the International Commission on Zoological Nomenclature should use their plenary powers in order to preserve the long-established name *Prosopis* Jurine, with the family name PROSOPIDAE, since, having regard to the literature as a whole, confusion rather than uniformity was likely to result from the supersession of these names by the names *Hylaeus* Fabricius and HYLAEIDAE. The International Committee agreed therefore to recommend that the name *Hylaeus* Fabricius should be suppressed. At the same time the International Committee agreed to recommend the suppression of the "Erlangen List."³ In anticipation of the acceptance of this latter recommendation by the International Commission, the International Committee agreed to submit the further recommendation that the name *Prosopis* Fabricius, [1804–1805], should be suppressed. The object of this supplementary recommendation was to secure that, if *Prosopis* Jurine, 1801, was suppressed, as it would be if the "Erlangen List" was suppressed,³ the name *Prosopis* should continue to be attributed to Jurine, through ranking from *Prosopis* Jurine, 1807, rather than be attributed to Fabricius, through *Prosopis* Fabricius, [1804–1805], as would otherwise be the case.

5. The above and other recommendations adopted by the International Committee at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

³ See footnote 2.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the names *Hylaeus* Fabricius, 1793, *Prosopis* Fabricius, [1804–1805], and *Prosopis* Jurine, 1807, was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

7. At the same meeting, the Commission agreed to use their plenary powers to suppress the "Erlangen List" (Lisbon Session, 2nd Meeting, Conclusion 13).⁴ Accordingly, when on the afternoon of the same day the Commission came to consider the present case, they did so in the light of the recommendation framed by the International Committee on Entomological Nomenclature on the assumption that the "Erlangen List" would be suppressed. After careful consideration, the Commission

⁴ See *Opinion* 135 (1939, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 2: 7–12).

decided that the course recommended by the International Committee was the one best calculated to deal with the problem here presented. The Commission accordingly agreed (Lisbon Session, 3rd Meeting, Conclusion 2) ⁵ :—

(b) under "suspension of the rules" permanently to reject the following generic names :—

(12) *Hylaeus* Fabricius, 1793, *Ent. syst.* 2 : 302

(17) *Prosopis* Fabricius, [1804–1805], *Syst. Piezat.* : 293

(c) under "suspension of the rules" to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below :—

Name of genus	Type of genus
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(29) <i>Prosopis</i> Jurine, 1807, <i>Nouv. Méth. class. Hy- ménopt.</i> : 218	<i>Sphex signata</i> Panzer, [1798], <i>Faun. Ins. germ.</i> (53) : Tab. 2
---------------------------------------------------------------------------------------	-------------------------------------------------------------------------------

(d) under "suspension of the rules" to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19 to (34)), each with the type species there indicated;

(e) to render *Opinions* in the sense of (a) to (d) above.

8. The foregoing decision was embodied in paragraph 27 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology.

9. At the same meeting the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10) that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements and to take such action, as might appear to them to be necessary or expedient :—

- (i) to establish the Secretariat of the Commission at its new headquarters;
- (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;
- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session;
- (iv) to obtain the finance required for the due functioning of the Commission; and generally
- (v) to secure the effective continuance of the work of the Commission.

⁵ Only those portions of Conclusion 2 which refer to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* 1 : 27–30.

10. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

11. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁶ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, the Commission have received three communications objecting to the suspension of the rules in this case. These communications are as follows:—

(a) *Letter received from Dr. E. Gorton Linsley, University of California*

I have recently noticed the possibility of suspension of the Rules of Nomenclature in the case of *Prosopis* Jurine, and would like to register my protest at this change for the following reasons:—

(1) The priority of *Hylaeus* Fabr., 1793, over *Prosopis* Jurine, 1807, has been clearly recognized and accepted by the majority of Hymenopterists for the past seventeen years (beginning with Bridwell, 1919, *Proc. Haw. ent. Soc.* 4: 123). The name is now in current use and a change would necessitate the learning of another name for the group involved.

(2) The genus and family concerned are minor groups of Apoidea both in number of species and in literature pertaining to them, hence there is not enough at stake to warrant such a change.

(3) The only work which deals with this group from the world standpoint is Meade-Waldo, 1923, *Genera Insectorum*, fasc. 181, in which the species are treated under *Hylaeus*. To restore *Prosopis* would greatly curtail the value of this great work.

(4) The group is of no economic importance and does not appear in economic literature, either as *Prosopis* or *Hylaeus*.

* ⁶ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1: 31-40).

(5) The name *Prosopis* has long been used in botanical nomenclature,⁷ a fact which in at least one case has caused confusion between the bee and the plant genus. (Vide Cockerell and Sumner, 1931, *Amer. Mus. Novit.* 490 : 1, re the treatment of *Prosopis glandulosa* (mesquite) as one of the host bees of a group of parasitic Coleoptera).

(b) *Letter received from Dr. Charles D. Michener, Berkeley, California*

In a number of journals I have noticed, under the title "Notice of Possible Suspension of the Rules of Nomenclature in Certain Cases" that *Prosopis* Jurine, 1807, may take the place of *Hylaeus*. The name *Hylaeus* has been recognized as having priority over *Prosopis* by Meade-Waldo (*Genera Insectorum*) Scudder, and all (almost) authors since the publication of Meade-Waldo's work. Hence, to change back to *Prosopis* would mean only a second confusion, which is absolutely unnecessary.

Prosopis is a small genus of economically unimportant bees. The change in name would involve only a few specialists.

Furthermore, there is a genus of common western desert plants called *Prosopis*.⁷ I see no need for increasing the number of cases in which generic names in botany and zoology are the same.

(c) *Document forwarded under cover of a letter dated 1st March 1937 by Dr. S. A. Rohwer in the name of the Committee on Nomenclature of the Entomological Society of Washington*

Prosopis Jurine, 1807, has as type *Sphex signata* Panz., by designation of Morice & Durrant, 1914. The type of *Hylaeus* Fabr., 1793, is *annulatus* F. by designation of Latreille, 1810. These types are congeneric and the two genera therefore synonyms. They have always been considered so but unfortunately both generic names have remained in use. However, to suppress the older name *Hylaeus* and place *Prosopis* on the *Official List*, under suspension of the rules, would overturn the nomenclature of the most recent comprehensive treatment of the European species (Foerster, 1871), of the African species (Bridwell, 1919), of the species of the world (Meade-Waldo, 1923) and is certain to produce confusion. It is urged that the principle of priority as established in the Rules be allowed to apply in this case.

12. Immediately upon their receipt by the Commission, copies of the document from which the passages quoted in paragraph 11 have been extracted were communicated (November 1936 in the case of documents (a) and (b) and April 1937 in the case of document (c)) to each member of the Commission, but no member of the Commission then expressed himself as being in agreement with the representations contained therein, with the exception of Commissioner Hemming who, as Secretary to the Commission,

⁷ In reply to an inquiry by Commissioner Francis Hemming, Secretary to the Commission, Mrs. M. L. Sprague replied (on 1st May 1944): "The botanical genus *Prosopis* Linnaeus, 1767, *Mantissa Plant.* (1) : 10 (Order Rosales, Family Leguminosae, Subfamily Mimosoideae) consists of between 30 to 40 species. It occurs in the tropical and subtropical regions of Asia, America and Africa."

made a note in the records of the Commission that the evidence brought forward in the documents quoted in sections (a) and (b) of paragraph 11 above regarding the confusion that might arise from the use of the name *Prosopis* as a generic name in zoology as well as in botany was a matter which required careful consideration before a final decision was taken in this case.

13. The representations set out in paragraph 11 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held at Lisbon on 18th September 1935 (for the text of which see paragraph 9 above). The Plenary Conference (Plenary Conference, 1st Meeting, Conclusion 10) :

- (a) took note that the communications received as the result of the advertisement in 1936, as prescribed by the International Commission at their Lisbon Session (2nd Meeting, Conclusion 9), of the proposal to suspend the rules in the case of the names *Hylaeus* Fabricius, 1793, *Prosopis* Fabricius, [1804-1805], and *Prosopis* Jurine, 1807, had brought forward the following data and had adduced the following considerations :—
 - (i) the name *Prosopis* was in use for a " common desert plant " ⁸ and there was therefore a risk of confusion if the name *Prosopis* was used both in zoology and botany ; on at least one occasion the use of this name in this way had already led to confusion between the genus of bees and the plant genus ;
 - (ii) in the most recent treatment of the genus from a world standpoint (Meade-Waldo, 1923, *Genera Insectorum* 181) the name *Hylaeus* Fabricius had been used and not the name *Prosopis* Jurine ;
- (b) agreed that the data and considerations summarised in (a) above had not been clearly brought to the attention of the International Commission when at Lisbon in 1935 they had agreed to suspend the rules in the case of the names referred to above ;
- (c) recalled that the " Recommendation " attached to Article 1 of the International Code of Zoological Nomenclature deprecated the introduction into zoology of generic names in use in botany ;
- (d) agreed that, in view of (c) above, very strong grounds would need to be advanced to justify the use of the plenary powers in a case such as the present where the name proposed to be validated in zoology was already in use as a generic name in botany ;
- (e) considered that, in view of (a) to (d) above, the whole case required further consideration in the light of all available evidence before a final decision was taken ;
- (f) agreed that the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to arrange as soon as possible for the issue of an *Opinion* :—

⁸ See footnote 7.

- (1) having the following as its "summary" :—

" SUMMARY :—Consideration has been given to a proposal submitted by the International Committee on Entomological Nomenclature in favour of the use by the International Commission on Zoological Nomenclature of their plenary powers to suppress the names *Hylaeus* Fabricius, 1793, and *Prosopis* Fabricius, [1804–1805], and to designate *Sphex signata* Panzer, [1798], as the type of *Prosopis* Jurine, 1807 (Class Insecta, Order Hymenoptera). This proposal was approved by the International Commission at their Session held at Lisbon in 1935, subject to its being advertised for a period of one year before an *Opinion* was rendered thereon. The representations received as the result of that advertisement have elicited certain data and considerations that had not been clearly brought out at the Commission's Lisbon Session. In consequence, it has been decided to defer a final decision on this case until after a thorough re-examination of all available evidence. Zoologists who either favour, or are opposed to, the suspension of the rules in this case are accordingly invited to communicate with the Commission.

- (2) setting out in the main body of the *Opinion* :—

- (i) the petition in favour of the suspension of the rules in this case;
- (ii) the subsequent history of this case, including the recommendation in regard thereto submitted by the International Committee on Entomological Nomenclature at Madrid in 1935 and the decisions taken by the International Commission on Zoological Nomenclature thereon (Lisbon Session, 3rd Meeting, Conclusion 2) later in the same year;
- (iii) the representations received as the result of the advertisement of this case in 1936 in accordance with the decision taken by the Commission at Lisbon (Lisbon Session, 2nd Meeting, Conclusion 9);
- (iv) the present decision by the Plenary Conference.

14. The decisions :—

- (a) to suspend the By-Laws so far as might be necessary to enable the International Commission to consider the present and other cases where the prescribed advertisement procedure had not been complied with, subject to the subsequent advertisement of the said cases for a period of not less than one year before an *Opinion* was rendered thereon (paragraph 6);
- (b) subject to the proviso to (a) above, under "suspension of the rules" to suppress the names *Hylaeus* Fabricius, 1793, and *Prosopis* Fabricius, [1804–1805], and to designate *Spex signata* Panzer, [1798], as the type of *Prosopis* Jurine, 1807, that name being thereupon added to the *Official List of Generic Names in Zoology* (paragraph 7); and
- (c) to authorise the President of the Commission and the new Secretary to the Commission, when elected, to make such

arrangements, and to take such other action, as might appear to them necessary or expedient, to . . . give effect to the decisions reached by the Commission at their Lisbon Session . . . and generally to secure the effective continuance of the work of the Commission (paragraph 9)

were agreed to by all the Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

15. The foregoing decisions were dissented from by no Commissioner or Alternate present at the Lisbon Session.

16. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above matters :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

17. At the time when the vote was taken on the above matter, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

18. The decision that a further opportunity should be provided for the consideration of the issues involved in the proposal that the rules should be suspended for the purpose of validating the name *Prosopis* Jurine, 1807, was taken on behalf of the International Commission by the President of the Commission and the Secretary to the Commission, acting jointly in virtue of the powers conferred upon them in that behalf by the twelve (12) Commissioners and Alternates (paragraph 14 above) present at the Lisbon Session of the International Commission (Lisbon Session, 5th Meeting, Conclusion 10).

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION.*

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology,

plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules would be required to give valid force to an *Opinion* embodying a decision in the sense requested in the petition submitted in the present case; and

WHEREAS at their Lisbon Session the International Commission unanimously agreed to suspend the rules for the purpose of validating the name *Prosopis* Jurine, 1807, provided that the advertisement of the petition therefor in the manner prescribed in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in 1913 elicited no data or considerations which had not been clearly brought out at the discussion of this case at the said Lisbon Session; and

WHEREAS at their Lisbon Session the International Commission unanimously authorised the President of the Commission and the Secretary to the Commission to take such action after the close of that Session as might appear to them necessary or expedient to give effect to the decisions reached at the said Session; and

WHEREAS the President of the Commission and the Secretary to the Commission, acting in virtue of the powers so conferred upon them, have agreed that the advertisement of the petition submitted in this case has elicited data and considerations which were not clearly brought out at the discussion of this case at the Lisbon Session of the Commission and that a further opportunity should, therefore, be provided for the consideration of the issues involved in the said case before final action is taken in regard thereto; and

WHEREAS, in consequence of the said conclusions, the President of the Commission and the Secretary to the Commission, acting jointly in virtue of the powers conferred upon them in that behalf by the International Commission at their Lisbon Session, have agreed on behalf of the said International Commission that an *Opinion* should be rendered in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Seventy (*Opinion* 170) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this fourth day of September, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above ; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943. Seven Parts of volume 1 have now been published. Further Parts are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-40, containing *Declarations* 10-12 and *Opinions* 134-170, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-11 (containing *Opinions* 182-192) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £969 16s. 1d. were received up to 30th June 1945. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

1967.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 41. Pp. 459-470.

OPINION 171

Suspension of the rules for *Nymphidium*
Fabricius, 1807 (Class Insecta, Order Lepido-
ptera)



LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1946

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 171.

SUSPENSION OF THE RULES FOR *NYMPHIDIUM* FABRICIUS, 1807 (CLASS INSECTA, ORDER LEPIDOPTERA).

SUMMARY.—Under suspension of the rules it is hereby declared (i) that the name *Nymphidium* Fabricius, 1807 (Class Insecta, Order Lepidoptera) (type : *Papilio caricae* Linnaeus, 1758) shall not be rejected in favour of *Limnas* Hübner, [1806] (type : *Limnas leucosia* Hübner, [1806]); (ii) that the name *Limnas* Hübner is to be treated as suppressed for all purposes; and (iii) that the name *Nymphidium* Fabricius is therefore valid. The name *Nymphidium* Fabricius, 1807, with the type indicated above, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 614.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 24th October 1934, in which Commissioner Francis Hemming and Mr. N. D. Riley, Keeper of the Department of Entomology, British Museum (Natural History), jointly invited the Commission to render *Opinions* in regard to this, and certain other, generic names in the Order Lepidoptera. The passage in that letter relating to the name *Nymphidium* Fabricius, 1807, reads as follows :—

- (a) We recommend that the following names ¹ should be added by the International Commission to the *Official List of Generic Names*. Our reasons for so recommending are fully set out in the statements, the terms of which we have jointly agreed, contained in Hemming's *Generic Names of the Holarctic Butterflies* on the pages noted below :—

Nymphidium Fabricius, 1807 (Hemming, *loc. cit.* 1 : 102-103).

2. The following is an extract from the work referred to above of the passage relating to this genus :—

¹ The other generic names referred to in this letter were *Euploea* Fabricius, 1807, which has since been dealt with by the International Commission in *Opinion* 163 (see pp. 335-346 above) and *Euthalia* Hübner, [1819], which has since been dealt with in *Opinion* 167 (see pp. 399-410 above).

NYMPHIDIUM Fabricius

Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 286

Westwood, 1851, in Doubleday, *Gen. Diurn. Lep.* (2) : 447

Crotch, 1872, *Cistula ent.* **1** : 66

Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston **10** : 230

TYPE : *Papilio caricae* Linn., 1758

Fabricius said that there were twenty-eight species in this genus and mentioned three by name. Westwood said that he considered the genus "well exemplified by *caricae* and *lamis*," and Crotch definitely selected *caricae* Linn. (one of Fabricius' species) as the type, basing his decision on Westwood's action. Scudder was not justified in trying to change the type to *telephus* Fab. (= *thelephus* Cram.). The genus *Nymphidium* Fab. has no holarctic species, but the name is included here in view of the fact that its synonyms, *Eulepis* Billb. and *Limnas* Hübner,² have been widely (but wrongly) used for palaeartic species.

Under a strict interpretation of the International Code, the name *Nymphidium* Fab. should be sunk as a synonym of *Limnas* Hübner. There are, however, very strong objections to such a course. These may be summarised as follows :—

- (a) The name *Nymphidium* Fab. has been universally applied to *Papilio caricae* Linn., 1758, and its congeners ever since its establishment by Fabricius in 1807.
- (b) The name *Limnas* Hübner has never been applied to these species, except in the present case by Hübner in his *Sammlung exotischer Schmetterlinge*. On the contrary, following Hübner's own use in the *Tentamen* (now rejected by *Opinion* 97 of the International Commission on Zoological Nomenclature), the name *Limnas* Hübner, when used, has always been employed for a genus of DANAIIDAE, *Papilio plexippus* Linn., 1758, being regarded as its type.
- (c) There is, however, a name *Lymnas* (Boisduval MS.) Blanchard, 1840 (in Brullé, *Hist. nat. Anim. artic.* (Orth.) **3** : 464) which has been, and still is, widely used for an entirely different group of RIODINIDAE.
- (d) To sink the well-known and universally-used generic name *Nymphidium* Fab. as a synonym of *Limnas* Hübner, as is required by a strict application of the rules of the International Code, would serve no useful purpose whatever, but would, on the contrary, clearly result in greater confusion than uniformity.

3. Commissioner Hemming went on to say that, jointly with Mr. N. D. Riley, he was submitting to the International Commission on Zoological Nomenclature a recommendation that, in the exercise of the plenary power conferred upon them by the International Zoological Congress, the Commission should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect :—

² On the following page (: 104) in the account of the name *Limnas* Hübner, it was pointed out that pl. [29] in volume 1 of Hübner's *Sammlung exotischer Schmetterlinge* (the place where this name was first published after the *Tentamen*, which the Commission had rejected by *Opinion* 97) had already been published by November 1806. It is now known to have been published between August and November in that year (see Hemming, 1937, *Hübner* **1** : 401).

The name *Nymphidium* Fab., 1807 (*Mag. f. Insektenk.* (Illiger) 6 : 286), the type of which is *Papilio caricae* Linn., 1758, is hereby added to the *Official List of Generic Names*. The name *Limnas* Hübner, [1806] (*Samml. exot. Schmett.* 1 : pl. [29]), is not to be substituted for *Nymphidium* Fab., notwithstanding the fact that it has one year's priority over that name.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. As a first step the Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the Committee agreed to recommend the International Commission on Zoological Nomenclature to take such steps as they might consider necessary under their plenary powers to secure that *Limnas* Hübner, [1806] (type : *Limnas leucosia* Hübner, [1806]), should not be substituted for *Nymphidium* Fabricius, 1807 (type : *Papilio caricae* Linnaeus, 1758) as the name of the genus of the Neotropical genus of RIODINIDAE commonly so called.

5. This and other recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a

decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the name *Nymphidium* Fabricius, 1807, was one of the cases in question and was accordingly dealt with under the above procedure.

7. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22), when it was agreed³ :—

(a) to "suspend the rules" in the case of the following generic names :—

(vi) *Nymphidium* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 286

(g) to declare that the name *Nymphidium* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 286 (type: *Papilio caricae* Linnaeus, 1758, *Syst. Nat.* (ed. 10) : 484) shall not be rejected in favour of *Limnas* Hübner, [1806] (*Samml. exot. Schmett.* 1 : pl. [29]) (type: *Limnas leucosia* Hübner, [1806], *ibid.*); that the name *Limnas* Hübner is to be treated as suppressed for all purposes; and therefore that the name *Nymphidium* Fabricius, 1807, is valid;

(i) to add the generic names . . . *Nymphidium* Fabricius, 1807, . . . to the *Official List of Generic Names*, with the types indicated above;

(l) to render *Opinions* in the sense of (a) to (k) above.

8. The foregoing decisions were embodied in paragraph 28 of the report⁴ which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was

³ Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20–23.

⁴ See 1943, *Bull. zool. Nomencl.* 1 : 60–61.

unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

9. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913,⁵ by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the possible suspension of the rules as applied to the present case, no communication of any kind has been addressed to the Commission objecting to the issue of an *Opinion* in the terms proposed.

10. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman ; Hemming ; Jordan ; Pellegrin ; Peters ; and Stejneger.

Alternates :—do Amaral *vice* Cabrera ; Ohshima *vice* Esaki ; Bradley *vice* Stone ; Beier *vice* Handlirsch ; Arndt *vice* Richter ; and Mortensen *vice* Apstein.

11. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above *Opinion* :—

Bolivar y Pieltain ; Chapman ; Fantham ; Silvestri ; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

⁵ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT
OPINION.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held in Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Seventy One (*Opinion* 171) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE at Aldeburgh in the County of Suffolk, this seventh day of September Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

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Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943. Seven Parts of volume 1 have now been published. Further Parts are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-21 (containing *Declarations* 1-9 and *Opinions* 1-12) have now been published. Further Parts will be published shortly.

Volume 2. This volume, which contains the record of the decisions taken by the International Commission at Lisbon in 1935, is being published in two Sections (Sections A and B) with continuous pagination. Of these, Section A, containing *Declarations* 10-12 and *Opinions* 134-160, is now complete. Of Section B, which will contain *Opinions* 161-181, Parts 31-45 (containing *Opinions* 161-175) have now been published. The remaining Parts of this volume are in the press and will be published as soon as possible.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-11 (containing *Opinions* 182-192) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £969 16s. 1d. were received up to 30th June 1945. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 42. Pp. 471-482.

OPINION 172

On the interpretation of Article 30 of the International Code in relation to the designation, in abstracts and similar publications, of the types of genera, the names of which were published on, or before, 31st December 1930



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OPINION 172.

ON THE INTERPRETATION OF ARTICLE 30 OF THE INTERNATIONAL CODE IN RELATION TO THE DESIGNATION, IN ABSTRACTS AND SIMILAR PUBLICATIONS, OF THE TYPES OF GENERA, THE NAMES OF WHICH WERE PUBLISHED ON, OR BEFORE, 31ST DECEMBER 1930.

SUMMARY.—It is undesirable that the types of genera should be designated in Abstracts, Records, and similar publications. Where, however, the type of a genus, the name of which was published on, or before, 31st December 1930, is clearly designated in such a publication, that designation must be accepted as being within the scope of Article 30 of the Code.

I.—THE STATEMENT OF THE CASE.

This question was first brought to the attention of the Commission by Mr. J. R. Le B. Tomlin, British Museum (Natural History), in connexion with the generic name *Conulinus* von Martens, 1895, *NachrBl. dtsh. malakozool. Ges.* 27 : 180 (Class Gastropoda, Order Stylommatophora), the type of which had been dealt with by the Commission in *Opinion* 86.¹ Mr. Tomlin's letter, which was dated 16th June 1929, reads as follows :—

Referring to *Opinion* 86 as reported in *Pr. Biol. Soc. Washington* XXXIX, p. 102, re the molluscan name *Conulinus*, I have only recently noticed that in the *Zool. Record* for 1895, vol. XXXII, Mollusca p. 59, the Recorder, B. B. Woodward, writes :

Conulinus, n.sect. of *Buliminus*, type *B. ugandae* n.sp., Martens, *Nachrichtsbl.* XXVII. 180.

As no such statement re type is made by v. Martens, I take this to be a deliberate fixation of genotype by the Recorder.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. This case was referred by Commissioner C. W. Stiles (*Secretary to the Commission*) to Commissioner F. A. Bather, by whom *Opinion* 86 had been drafted. Dr. Bather replied on 30th September 1929 as follows :—

¹ For the effect of the present *Opinion* on the decision embodied in *Opinion* 86, see *Opinion* 176 (p. 521 *et seq.* below).

Vol. 32 of *Zoological Record* was published on 5 December 1896,² and thus preceded Von Martens' paper of 1897. It might therefore be claimed that *B. ugandae* should be regarded as genotype. I do not think that is at all a necessary conclusion.

The *Zoological Record*, as its title implies, is a record of publications by other writers; it is not an original work. Any criticisms or emendations by the recorders are (or should be) definitely indicated as such, e.g. by enclosure within square brackets [. . .] or by the addition of initials. In the present instance there is no indication that the recorder (B. B. Woodward) was undertaking to do anything but record. My interpretation of his statement is that, working probably under pressure as all recorders have to, he assumed that *B. ugandae* was the genotype because it was immediately associated with "*Conulinus* n." and preceded the two other species described. That assumption was natural for a recorder who, in his haste, overlooked the reference to *B. conulus*; but it was, as we know from Von Martens 1897, an incorrect assumption.

I have consulted Mr. Woodward, who says (*in litt.*, 17 July, 1929): "At this distance of time it is not possible to recall what the compiler of the Molluscan Section of the *Zool. Rec.* for 1895 had in his mind when he penned the paragraph in question."

Mr. Woodward thinks that his printed sentence fixes the genotype; I do not think so.

Since, however, there may be a difference of opinion on this question, I suggest that, to avoid confusion and to validate the action of previous authors (as opposed to recorders), the Commission be asked to re-affirm *Opinion* 86, with this additional fact before it.

Further I suggest that the Commission assert, as a general principle, that a statement in a report or record or historical narration is not to be taken as an original contribution by the reporter, recorder, or historian unless he has clearly indicated his responsibility for it.

3. Copies of Dr. Bather's letter were communicated by Dr. Stiles to the members of the Commission with a request for informal suggestions as to the steps to be taken in regard to this case. Replies were slow in coming in, and it was not until 1932 that Dr. Stiles was able to inform the Commission that comments had been received from nine Commissioners, these comments being to the following effect:—

(a) Commissioner Angel Cabrera agreed with Dr. Bather and added:—

I would suggest that Bather's suggestion about statements in records, etc. must be adopted by the Commission as a general principle. We can never praise the *Zoological Record* so much as it deserves; but, even so, it is no more than a bibliographical record, and as such, it contains many unfortunate slips.

² The actual date of publication of this volume of the *Zoological Record* is 4th not 5th December 1896, as is shown by the following extract from a letter dated 19th August 1929 addressed to Mr. Tomlin by Mr. F. Martin Duncan, Librarian, Zoological Society of London: "In the Annual Report of the Zoological Society for 1896, page 12, it is stated that Vol. XXXII of the *Zoological Record* for 1895 was published on December 4th 1896."

- (b) Commissioner John Stephenson agreed with Dr. Bather and added :—

I would suggest, going further than Bather, that nothing in a report, record, historical relation, or abstract (e.g. *Zool. Berichte*, *Biol. Abstracts*, the abstracts that appear or used to appear in *Arch. Naturgesch.*) be taken as an original contribution, whether or not the writer indicates his responsibility for it. These are not the places in which we look for original contributions, nor in which we ought to have to look.

- (c) Seven Commissioners (Apstein, Chapman, Horváth, Ishikawa, Pellegrin, Silvestri and Stone) replied that they agreed with Dr. Bather, but none of these Commissioners indicated whether this applied to both Dr. Bather's suggestions or was confined to the suggestion that *Opinion 86* should be re-affirmed.

4. In reporting to the Commission the comments received from Commissioners on the suggestions put forward by Dr. Bather, Dr. Stiles added the following statement of his own views :—

I hold an open mind and would suggest :—

- (1) It is not clear to me how far this view would lead us. It seems to me that so many complications might arise that the principles involved should be very carefully considered—(possibly postponed for special discussion when the Commission meets?)
- (2) Is the *Zoological Record* "publication"? Personally I have taken it for granted that it is "publication" and that any statement made therein had published status. Accordingly, if the *Record* said, "X-us n.g., type *albus*," I have without question considered this as designation of type species to be as correct type (subject to the provisions of Art. 30, rule (g) quoted below*) as is any other type designation. The fact is known to me that various other zoologists have followed this same plan.
- (3) If the types given in the *Record* are not to be accepted as type designations, the question arises whether numerous similar entries, (without further remarks) in tables of synonymy, are to be accepted as type designations under Art. 30.
- (4) In many reviews, the reviewer has designated types. Admittedly, a review is not the best place in which to designate the type species. But it is not clear to me that this is not to be accepted as published.
- (5) Many types are designated (without additional remarks) in lists (nomenclators) of genera.
- (6) I have a feeling that the author who designates type species is performing an important public service. Would the acceptance of Bather's viewpoint tend to discourage authors from assuming this responsibility?

* Rule (g) in Article 30 reads as follows :—

If an author, in publishing a genus with more than one valid species, fails to designate (see (a)) or to indicate (see (b), (d)) its type, any subsequent author may select the type, and such designation is not subject to change (Type by subsequent designation). (See *Opinions* Nos. 6, 9, 10, 32, 56).

The meaning of the expression "select the type" is to be rigidly construed. Mention of a species as an illustration or example of a genus does not constitute a selection of a type.

Dr. Stiles concluded by stating that he intended to postpone temporarily the formulation of a draft *Opinion*, pending further suggestions from Commissioners.

5. No further suggestions were received by Dr. Stiles from Commissioners and in consequence in February 1935 he recirculated to the members of the Commission the comments that he had first communicated to them in 1932 (as recorded in paragraphs 3 and 4 above). On this occasion, Dr. Stiles added the suggestion that this matter should be discussed at the meeting of the Commission due to be held at Lisbon in September of that year.

6. Comments were received from two Commissioners on this further communication :—

(a) Commissioner James L. Peters wrote (4th March 1935) :—

Since the 1927 amendments to Article 25 became effective it does not seem that the question of a subsequent type designation by a compiler in the *Zoological Record* or similar bibliographic publication is a contingency liable to arise any further, and as far as my own field is concerned, such designations in the past are almost negligible. On the other hand a ruling against such designations in a bibliographic publication might easily be construed as invalidating type designations in such standard works as the British Museum Catalogues, where after each generic name or synonym the commonly accepted type species is listed.

(b) Commissioner Witmer Stone (reversing the view expressed in 1931³) wrote :—

I heartily agree with Peters' statements as to type designations in the *Zoological Record* or similar publications.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

7. At their meeting held at Lisbon on Tuesday, 17th September 1935, the Commission considered both the general question of the availability under Article 30 of the Code of designations of the types of genera, the names of which were published on or before 31st December 1930 (i.e. prior to the coming into operation of the amendment of Article 25 adopted at Budapest in 1927), in those cases where such type designations are published in Abstracts, Records and similar publications. At the same time, the Commission considered the bearing of this question on the decision in regard to the type of genus *Conulinus* von Martens,

³ See paragraph 3(c) of the present *Opinion* (page 475 above).

1895 (Class Gastropoda, Order Stylommatophora) embodied in *Opinion* 86. As regards the first of these questions, with which alone the present *Opinion* is concerned, the Commission agreed (Lisbon Session, 4th Meeting, Conclusion 9) ⁴ :—

- (a) that it was undesirable ⁴ that the types of genera should be designated for the first time in Abstracts, Records, and similar publications; but that, where the type of a genus was clearly designated in such a publication, that designation must be accepted as being within the scope of Article 30 of the International Code;

(c) to render *Opinions* in the sense indicated in (a) and (b) above.

8. Later in the same meeting as that referred to above (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress,

⁴ Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, including the portion relating to *Conulinus* von Martens, 1895, see 1943, *Bull. zool. Nomencl.* 1:36. The decision of the Commission in regard to the latter question has been embodied in *Opinion* 176 (p. 521 *et seq.* below).

and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in the report.

9. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the Commission as set out in paragraph 8 above.

10. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

11. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. The following five (5) Commissioners, who were not present at Lisbon nor represented thereat by Alternates, did not vote on the present *Opinion*:—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION.*

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have

been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the present *Opinion*, as set out in the summary thereof, neither requires, in order to be valid, the suspension of the rules, nor involves a reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held at Lisbon in September 1935;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Seventy Two (*Opinion* 172) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE at Aldeburgh in the County of Suffolk, this tenth day of September, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above ; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943. Seven Parts of volume 1 have now been published. Further Parts are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-21 (containing *Declarations* 1-9 and *Opinions* 1-12) have now been published. Further Parts will be published shortly.

Volume 2. This volume, which contains the record of the decisions taken by the International Commission at Lisbon in 1935, is being published in two Sections (Sections A and B) with continuous pagination. Of these, Section A, containing *Declarations* 10-12 and *Opinions* 134-160, is now complete. Of Section B, which will contain *Opinions* 161-181, Parts 31-45 (containing *Opinions* 161-175) have now been published. The remaining Parts of this volume are in the press and will be published as soon as possible.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-11 (containing *Opinions* 182-192) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £969 16s. 1d. were received up to 30th June 1945. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

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PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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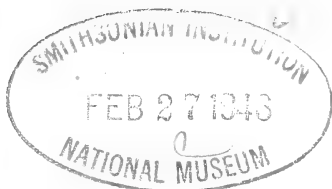
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 43. Pp. 483-494.

OPINION 173

On the type of the genus *Agriades* Hübner, [1819], and its synonym *Lattiorina* Tutt, 1909 (Class Insecta, Order Lepidoptera), genera based upon an erroneously determined species



LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1946

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 173.

ON THE TYPE OF THE GENUS *AGRIADES* HÜBNER, [1819], AND ITS SYNONYM *LATORINA* TUTT, 1909 (CLASS INSECTA, ORDER LEPIDOPTERA), GENERA BASED UPON AN ERRONEOUSLY DETERMINED SPECIES.

SUMMARY.—Under suspension of the rules *Papilio glandon* Prunner, 1798, is hereby designated as the type of *Agriades* Hübner, [1819], and of its synonym *Latorina* Tutt, 1909 (Class Insecta, Order Lepidoptera).

I.—THE STATEMENT OF THE CASE.

In 1935 Commissioner Francis Hemming prepared for the consideration of the International Commission on Zoological Nomenclature a paper dealing with the interpretation of *Opinion* 65 relating to the determination of the types of genera based upon erroneously determined species, with special reference to certain genera in the Sub-Order Rhopalocera of the Order Lepidoptera (Class Insecta). One of the genera in question was *Agriades* Hübner, [1819], and its synonym *Latorina* Tutt, 1909, in the family LYCAENIDAE.

2. The portion of the foregoing paper relating to this genus reads as follows ¹ :—

(2) *AGRIADES* HÜBNER, [1819] ² AND *LATORINA* TUTT, 1909

(A) *AGRIADES* HÜBNER, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (5) : 68

Scudder, 1875, *Proc. Amer. Acad. Arts Sci.*, Boston 10 : 105

¹ The text of the first part of this paper relating to the interpretation of *Opinion* 65 is quoted in full in *Opinion* 168 (pp. 411-430 above). The portions of the second part relating to the types of the other genera discussed are quoted in *Opinions* 169 (pp. 431-442 above) (*Lycaeides* Hübner), 175 (pp. 509-520 above) (*Polyommatus* Latreille), 177 (*Euchloë* Hübner), 179 (*Princeps* Hübner), and 181 (*Carcharodus* Hübner).

² At the time when the paper from which this is an extract was written, it was thought (Hemming, 1934, *Gen. Names hol. Butt.* 1 : 16-17) that pp. 65-240 of Hübner's *Verz. bekannt. Schmett.* were published in 1823. That date was accordingly assigned to the present name. The examination of Hübner's surviving manuscripts has since shown that the correct date is 1819 (see Hemming, 1937, *Hübner* 1 : 517 and also *Opinion* 150, for which see pp. 161-168 above). This correction has accordingly been made, wherever necessary, in the extract from Commissioner Hemming's application quoted in the present paragraph.

38. Hübner placed in this genus 14 species (as recognised by himself) but did not designate a type. Of these species, the only one that is relevant here is Hübner's species no. 660, since that species was selected as the type of this genus by Scudder in 1875. Hübner's entry in the *Verzeichniss* for this species is as follows:—

660. A. Orbitulus Prun. Lepid. 158. Meleager Hübner. Pap. 522-525 & 761.762.

39. Neither when Hübner published the name *Agriades* Hübner or at any subsequent time has there been the slightest doubt or misunderstanding regarding the identity of the species which he there identified as *Papilio orbitulus* Prunner, 1798 (*Lepid. pedemont.* : 75).³ The species in question has always been identified with the well-known high-alpine and boreal species figured by Hübner in the *Sammlung europäischer Schmetterlinge* as *Papilio meleager*. For convenience this species is here referred to as the "Arctic Blue."

40. The difficulties now under consideration only arose in 1926 when Verity (*Ent. Rec.* 38 : 105) established:—

- (i) that Prunner had given the name *Papilio orbitulus* not to the "Arctic Blue" but to another alpine "Blue" which may here be called the "Green-underside Alpine Blue," to which the name *Papilio pheretes* Hübner, [1805-1806],⁴ is usually applied;
- (ii) that Prunner had given a name, *Papilio glandon* (*ibid.* : 76), to the "Arctic Blue" and that this was the oldest available name for that species and should therefore be adopted.

41. This discovery at once threw in doubt the type of the genus *Agriades* Hübner, since that genus became thereby a genus based upon an erroneously determined species. The effect of applying in this case the preliminary assumption prescribed in *Opinion* 65 (namely that the author of the genus correctly identified the species that he placed in it) would be as follows:—

- (i) the type of *Agriades* Hübner would become the true *Papilio orbitulus* Prunner, i.e. the "Green-underside Alpine Blue," notwithstanding the fact:—
 - (a) that the true *Papilio orbitulus* Prunner was not even included by Hübner in the genus *Agriades* but was placed by that author in the preceding genus, *Nomiades* Hübner, as species no. 645 under the name *Nomiades pheretes* (Hübner);
 - (b) that, when designating *Papilio orbitulus* Prunner as the type of *Agriades* Hübner, Scudder clearly indicated that he had in mind the species which Hübner had identified as *Papilio orbitulus* Prunner, i.e., the "Arctic Blue" (= *Papilio orbitulus* Prunner, Esper *et* auctt. *nec* Prunner) and not the "Green-underside Alpine Blue" (= the true *Papilio orbitulus* Prunner);

³ The figure "158" quoted by Hübner as the reference for *orbitulus* in de Prunner's *Lepid. pedemont.* is not to the page in that work where this name appears but to the serial number allotted to this species by de Prunner.

⁴ At the time when the paper from which this is an extract was written, it was thought that the main (*Ziefer*) text of Hübner's *Samml. europ. Schmett.* was all published in 1805, the date given on the title page. It has since been ascertained (Hemming, 1937, *Hübner* 1 : 177-179) that this text was published in parts and that the sheet comprising page 45 on which the name *Papilio pheretes* Hübner first appeared was published in the period November 1805-August 1806. This date has accordingly been substituted for 1805, wherever necessary, in the extract from Commissioner Hemming's application quoted in the present paragraph.

- (ii) *Papilio glandon* Prunner (= *Papilio orbitulus* Prunner, Esper *et* auctt. *nec* Prunner) would need to be provided with a new generic name, since the only other available name for it, *Latiiorina* Tutt, is based upon the same erroneously determined species and any decision on *Agriades* Hübner would necessarily apply also to *Latiiorina* Tutt;
- (iii) the name *Albulina* Tutt, 1909 (*Ent. Rec.* 21 : 108) (type: *Papilio pheretes* Hübner, [1805–1806]), to which the true *Papilio orbitulus* Prunner is normally referred, would become an objective synonym of *Agriades* Hübner, since the same species would in that case be the type of each of these genera.

42. The consequences described above, including the confusion that would certainly follow from the transfer of *Agriades* Hübner to be the generic name for *Papilio orbitulus* Prunner (= *Papilio pheretes* Hübner) in place of being the name for the allied genus which comprises *Papilio glandon* Prunner (= *Papilio orbitulus* Prunner, Esper *et* auctt. *nec* Prunner), would be an absurdly heavy price to pay for the privilege of maintaining the admittedly erroneous assumption that Hübner correctly identified *Papilio orbitulus* Prunner when he cited that name in the list of species included by him in his new genus *Agriades* Hübner.

43. I accordingly recommend that the International Commission should render an *Opinion* under their plenary powers declaring that *Papilio glandon* Prunner, 1798, is the type of *Agriades* Hübner, [1819], i.e. that the type of this genus is the species which was intended by its original author, which has always been accepted as such and which Scudder in his paper published in 1875 intended so to select.

(B) *LATIIORINA* TUTT, 1909

Tutt, 1909, *Ent. Rec.* 21 : 108

44. The position of this genus is indistinguishable from that of *Agriades* Hübner, except that its type was designated by its original author (Tutt) and not, as in the case of *Agriades* Hübner, selected by a later author (Scudder). It should be noted however that Tutt made the further error (a common one at that time) of attributing the name *orbitulus* not to Prunner (its true author) but to Esper by whom it was figured and described under that name, not as a species named by himself but (quite correctly) as having been so named by Prunner.

45. In these circumstances it is evident that whatever decision is taken in regard to *Agriades* Hübner must govern also *Latiiorina* Tutt. I accordingly recommend that the International Commission, acting under their plenary powers, should designate *Papilio glandon* Prunner, 1798, as the type of *Latiiorina* Tutt. That genus will thereupon become *de jure* what it has always been treated as being, namely an objective synonym of *Agriades* Hübner.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The questions raised in Commissioner Hemming's paper were considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935 during the Sixth International Congress of Entomology. The International Committee unanimously agreed to recommend the International Commission on Zoological Nomenclature to render an *Opinion* clarifying the meaning of *Opinion* 65 in the manner

proposed.⁵ Having reached this conclusion on the general question involved, the International Committee examined the particular cases in the Order Lepidoptera submitted in the same paper. The International Committee considered that, if (as they had just agreed to recommend) the International Commission agreed to render an *Opinion* clarifying *Opinion* 65 in the manner proposed in the petition, the only possible course as regards the genus *Agriades* Hübner, [1819], and its synonym *Lattiorina* Tutt, 1909, would be for the International Commission to render an *Opinion* declaring *Papilio glandon* Prunner, 1798 (= *Agriades orbitulus* Prunner, Hübner *nec* Prunner) to be the type of each of these genera. The International Committee agreed therefore to recommend the International Commission to proceed in this way under their plenary powers.

4. The above and other resolutions adopted by the International Committee at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

5. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision;

⁵ For a full account of the subsequent history of the portion of this petition relating to the interpretation of *Opinion* 65 and the decision of the International Commission on Zoological Nomenclature thereon, see *Opinion* 168 (pp. 411-430 above).

and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Agriades* Hübner, [1819] (and its synonym *Latorina* Tutt, 1909), was among the cases in question and was accordingly dealt with under the above procedure.

6. At the same meeting as that referred to above (Lisbon Session, 2nd Meeting, Conclusion 23), the International Commission agreed upon certain clarifications of *Opinion* 65 in regard to the status of genera based upon erroneously determined species (Lisbon Session, 2nd Meeting, Conclusion 23 (a) and (c)).⁶ Having thus cleared the ground regarding the principles involved, the Commission proceeded to consider the present and certain other cases in the Order Lepidoptera (Class Insecta) and the resolutions in regard thereto submitted by the International Committee on Entomological Nomenclature. After careful consideration of the present case, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 23 (b) and (c)) :—⁷

- (b) in the light of (a) above, to suspend the rules in the case of the under-mentioned genera and to declare the types of the genera in question to be the species indicated below :

Name of genus	Type of genus
(2) <i>Agriades</i> Hübner, [1819], ⁸ <i>Verz. bek. Schmett.</i> (5) : 68 and <i>Latorina</i> Tutt, 1909, <i>Ent.</i> <i>Rec.</i> 21 : 108	<i>Papilio glandon</i> Prunner, 1798, <i>Lepid. pedemont.</i> : 76 (the species misidentified as <i>Papilio orbitulus</i> Prunner, 1798, by Esper, [1799], by Hübner and other authors)

- (c) to render *Opinions* in the sense of (a) and (b) above.

⁶ See footnote 5.

⁷ Only those portions of Conclusion 23 which relate to the present case are here quoted. For the full text of Conclusion 23, see 1943, *Bull. zool. Nomencl.* 1 : 23-25.

⁸ At the time of the Session of the International Commission on Zoological Nomenclature held at Lisbon in 1935, it was still thought that this name was first published in 1823. It has since been found that the portion of Hübner's *Verz. bek. Schmett.* concerned was published in 1819 (see footnote 2). In accordance with the editorial arrangements agreed upon at Lisbon, the date has been corrected to 1819. (See 1943, *Bull. zool. Nomencl.* 1 : 64 and 68 (note (33)).)

7. The foregoing decisions were embodied in paragraph 29 of the report which at their meeting held on the morning of Wednesday, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 6), the Commission unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

8. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 5 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913,⁹ by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

9. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

10. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated dis-

⁹ See *Declaration 5* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1: 31-40).

agreement with the conclusions then reached by the Commission in this matter.

11. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Seventy Three (*Opinion* 173) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this first day of October, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by
FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 44. Pp. 495-508.

OPINION 174

On the status of the names *Ceraphron* Panzer,
[1805], and *Ceraphron* Jurine, 1807 (Class
Insecta, Order Hymenoptera)



LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1946

Price three shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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Vice-President : Dr. James L. Peters (U.S.A.).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

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41, Queen's Gate, London, S.W. 7.

Personal address of the Secretary :

83, Fellows Road (Garden Flat), London, N.W. 3.

OPINION 174.

ON THE STATUS OF THE NAMES *CERAPHRON* PANZER, [1805], AND *CERAPHRON* JURINE, 1807 (CLASS INSECTA, ORDER HYMENOPTERA).

SUMMARY.—Under suspension of the rules (i) the name *Ceraphron* Panzer, [1805], is suppressed ; (ii) all type designations for *Ceraphron* Jurine, 1807, made prior to the date of this *Opinion*, are set aside ; and (iii) *Ceraphron sulcatus* Jurine, 1807, is hereby designated as the type of *Ceraphron* Jurine, 1807 (Class Insecta, Order Hymenoptera). The name *Ceraphron* Jurine, 1807, with the type indicated above, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 615.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Order Hymenoptera (Class Insecta) in all countries, the following petition signed by Professor Chester Bradley and 59 other hymenopterists was submitted to the International Commission on Zoological Nomenclature :—

The case of CERAPHRON versus CALLICERAS

Ceraphron Jurine, 1807, was established for *C. cornutus* Jurine and *C. sulcatus* Jurine. The former is considered a synonym of *Sparasion frontalis* Latreille, a well known European species designated type of *Sparasion* (family SCELIONIDAE) by Latreille, 1810.

But *Ceraphron* had previously been used by Panzer (1805, *Fn. insect. Germ.* 9 : 97 pl. 16)¹ in association with the species *Ceraphron formicarius* Pz. (monotype) which belongs to the family BETHYLIDAE.² Kieffer has pointed out that the next available name for *Ceraphron* Jurine, 1807 (*nec* Panzer, 1805) is *Calliceras* Nees, 1834,³ and has correspondingly changed the family name CERAPHRONIDAE to CALLICERATIDAE. There exists a genus of flies called *Callicera* (SYRPHIDAE) which Rondani, 1856, made type of a subfamily CALLICERINAE, and Handlirsch, 1925, adopts the corrected spelling CALLICERATINAE. There exists a genus of beetles called *Callicerus* (STAPHYLINIDAE) which Jacobs, 1907, made type of a group that he called CALLICERINA.

¹ The correct reference is Panzer, [1805], *Faun. Ins. germ.* (97) : tab. 16. The date, being only ascertainable from external sources, should be cited in square brackets.

² See *Opinion* 153 (pp. 197–208 above).

³ *Calliceras* Nees v. Esenbeck, 1834, *Hymenopt. Ichn. aff.* 2 : 278.

In view of the undesirability of changing the established family name CERAPHRONIDAE TO CALLICERATIDAE, and of the added confusion that would occur from the existence of an identical subfamily name in Diptera and an identical group name potential in Coleoptera, the undersigned respectfully petition the International Commission on Zoological Nomenclature to take the following action :

- (1) to suspend the rules in the case of the genera *Ceraphron* Panzer, 1805,⁴ and *Ceraphron* Jurine, 1807;
- (2) to permanently reject *Ceraphron* Panzer, 1805 (*Faun. Insect. German.* 9 : 97, pl. 16⁴);
- (3) to validate *Ceraphron* Jurine, 1807, type *Ceraphron sulcatus* Jurine;
- (4) to place on the *Official List of Generic Names* *Ceraphron* Jurine, 1807, type *C. sulcatus* Jurine, for the genus of parasitic wasps ordinarily passing under that name.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission :—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	M. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiý
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	E. Kruger †
W. M. Mann	P. Roth	W. Hellen †
R. Friese	E. Enslin	F. X. Williams †
H. von Ihering †	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balduf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case circulated to the members of the International Commission on Zoological Nomenclature in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year,

⁴ See footnote 1.

by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee came to the conclusion that the chief feature of importance in this case was not whether in the Order Hymenoptera the generic name *Ceraphron* Jurine, 1807, and the family name CERAPHRONIDAE should be preserved in preference to the generic name *Calliceras* Nees v. Esenbeck, 1834, and the family name CALLICERATIDAE but the fact that if the latter course were followed, there would be subfamilies in the Hymenoptera and the Diptera with identical names. The International Committee were of the opinion, which they did not doubt would be shared by the International Commission on Zoological Nomenclature, that, in judging whether it was desirable that the International Commission should use its plenary powers to suppress or to validate a given generic name, it was not sufficient, in the case of the names of genera that were the types of families or subfamilies, to consider only whether the strict application of the rules would be likely to lead to greater confusion than uniformity in the particular group concerned; in such a case it was necessary to consider also whether the use of identical names for families or subfamilies in two or more groups would be likely to result in greater confusion than uniformity in the study of, and teaching of, some larger category—in this case the Class Insecta. The International Committee considered that it would be highly objectionable to have identical family or subfamily names in two orders of insects, and they accordingly decided to recommend the International Commission on Zoological Nomenclature to approve the petition submitted in this case, that is to say to suppress the generic name *Ceraphron* Panzer, [1805], and to place *Ceraphron* Jurine, 1807 (type: *Ceraphron sulcatus* Jurine, 1807) on the *Official List of Generic Names in Zoology*.

5. The above and other recommendations adopted by the International Committee on Entomological Nomenclature at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Ceraphron* Panzer, [1805], and *Ceraphron* Jurine, 1807, was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

7. This case was considered by the International Commission at their meeting held on the afternoon of Monday, 16th September 1935 (Lisbon Session, 3rd Meeting, Conclusion 2), when the Commission agreed ⁵ :—

(b) under "suspension of the rules" permanently to reject the following generic names :—

(13) *Ceraphron* Panzer, [1805], *Faun. Ins. germ.* (97) : Tab. 16

⁵ Only those portions of Conclusion 2 which relate to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* **1** : 27-30.

- (c) under "suspension of the rules" to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below:—

Name of genus	Type of genus
. (30) <i>Ceraphron</i> Jurine, 1807, <i>Now. Méth. class. Hy-</i> <i>ménopt.</i> : 303	<i>Ceraphron sulcatus</i> Jurine, 1807, <i>Now. Méth. class. Hy-</i> <i>ménopt.</i> : 303

- (d) under "suspension of the rules" to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated;
 (e) to render *Opinions* in the sense of (a) to (d) above.

8. The foregoing decision was embodied in paragraph 27 of the report ⁶ which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology.

9. At the same meeting, the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10 ⁷) that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements and to take such other action, as might appear to them to be necessary or expedient:—

- (i) to establish the Secretariat of the Commission at its new headquarters;
- (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;
- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session;
- (iv) to obtain the finance required for the due functioning of the Commission; and generally
- (v) to secure the effective continuance of the work of the Commission.

10. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

11. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph

⁶ See 1943, *Bull. zool. Nomencl.* 1 : 59-60.
⁷ See 1943, *Bull. zool. Nomencl.* 1 : 48.

6 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution⁸ adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of the names dealt with in the present *Opinion*, one communication only has been addressed to the Commission raising objection to the suspension of the rules in this case. This communication, which was dated 1st March 1937, and bore the signature of Dr. S. A. Rohwer, was addressed to the Commission in the name of the Committee on Nomenclature of the Entomological Society of Washington. The passage in that document relating to the present case reads as follows:—

The case of *Ceraphron* Jurine, 1807

It has been proposed permanently to reject *Ceraphron* Panz., 1805 (type, *C. formicarius* Panz.) and to validate by placing on the Official List of Generic Names, *Ceraphron* Jurine, 1807 (type, *C. sulcatus* Jur.). The next available name for *Ceraphron* Jurine being *Calliceras* Nees, 1834, this was adopted by Kieffer (1914) in his monograph of the family and has been used by most workers since then. It would be exceedingly confusing to overturn the nomenclature of the CALLICERATIDAE at this late date by validating *Ceraphron* Jurine under suspension of the rules.

12. Immediately upon its receipt by the Commission, copies of the document from which the above is an extract were communicated (April 1937) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the representations contained therein. On the other hand, two Commissioners who are also members of the International Committee on Entomological Nomenclature (Jordan and Hemming) noted in regard to these representations that they did not deal with the principal ground on which the International Committee had recommended, and the International Commission had approved, the suspension of the rules in this case.⁹

13. The representations set out in paragraph 11 above were considered at the Plenary Conference between the President of

⁸ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1: 31-40).

⁹ See paragraph 4 above.

the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held at Lisbon on 18th September 1935 (for the text of which see paragraph 9 above). The Plenary Conference (Plenary Conference, 1st Meeting, Conclusion 9) ¹⁰ :—

•••••
(b) examined the communications that had been received during the prescribed period in regard to the undermentioned names :—

•••••
(v) *Ceraphron* Jurine, 1807
from the Committee on Nomenclature of the Entomological Society of Washington

•••••
(c) took note that, although copies of the communications referred to in (b) above had been transmitted to each member of the Commission immediately upon their receipt, no member of the Commission had expressed himself as being in agreement with any of the representations contained therein;

(d) agreed that the communications referred to in (b) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the Sixth International Congress of Entomology at Madrid in the same year;

(e) agreed that, in view of (c) and (d) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decisions in this matter reached by the International Commission at their Lisbon Session (3rd Meeting, Conclusion 2) and therefore that *Opinions* should be issued as soon as possible in the sense indicated in paragraph 27 of the report submitted by them to the Twelfth International Congress of Zoology and approved and adopted by that Congress at the Concilium Plenum held at Lisbon on 21st September 1935.

14. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

¹⁰ Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, see 1943, *Bull. zool. Nomencl.* 1 : 76-77.

15. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

16. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

17. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held in Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held in Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Seventy Four (*Opinion* 174) of the said Commission.

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DONE in London, this tenth day of October, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
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FRANCIS HEMMING

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RICHARD CLAY AND COMPANY, LTD.,
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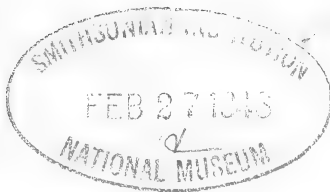
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 45. Pp. 509-520.

OPINION 175

On the type of the genus *Polyommatus* Latreille, 1804 (Class Insecta, Order Lepidoptera), a genus based upon an erroneously determined species



LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1946

Price three shillings

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OPINION 175.

ON THE TYPE OF THE GENUS *POLYOMMATUS* LATREILLE, 1804 (CLASS INSECTA, ORDER LEPIDOPTERA), A GENUS BASED UPON AN ERRONEOUSLY DETERMINED SPECIES.

SUMMARY.—Under suspension of the rules *Papilio icarus* Rottemburg, 1775, is hereby designated as the type of *Polyommatus* Latreille, 1804 (Class Insecta, Order Lepidoptera).

I.—THE STATEMENT OF THE CASE.

In 1935 Commissioner Francis Hemming prepared for the consideration of the International Commission on Zoological Nomenclature a paper dealing with the interpretation of *Opinion* 65 relating to the determination of the types of genera based upon erroneously determined species, with special reference to certain genera in the Sub-Order Rhopalocera of the Order Lepidoptera (Class Insecta). One of the genera in question was *Polyommatus* Latreille, 1804, in the family LYCAENIDAE.

2. The portion of the foregoing paper relating to this genus reads as follows:—¹

(3) *POLYOMMATUS* LATREILLE, 1804

Latreille, 1804, *Nowv. Dict. Hist. nat.* 24 (Tab.): 185, 200

id., 1805, in Sonnini's *Buffon* (Ins.) 14: 116

id., 1817, in Cuvier's *Règne anim.* 3: 553

46. When in 1804 Latreille first published this name he gave a short diagnosis on p. 185 but cited no species. On p. 200, in a comparison of his system with that of Fabricius, he gave what he called "*argus* Fab.". The genus *Polyommatus* Latreille is thus a monotypical genus and its type is "*argus* Fab.".

47. Fabricius never named an insect *Papilio argus* and whenever he used that name he made it clear that he was referring to the species so named by Linnaeus in 1758. The first occasion on which he used this name was in 1775 (*Syst. Ent.*: 525), the year in which Schiffermüller and Denis first detected the existence of the second very similar species, to which they inadvertently (and wrongly) transferred the name *Papilio*

¹ The text of the first part of this paper relating to the interpretation of *Opinion* 65 is quoted in full in *Opinion* 168 (pp. 411-430 above). The portions of the second part relating to the types of the other genera discussed are quoted in *Opinions* 169 (*Lycæides* Hübner) (pp. 431-442 above), 173 (*Agriades* Hübner) (pp. 483-494 above), 177 (*Euchloë* Hübner), 179 (*Princeps* Hübner), and 181 (*Carcharodus* Hübner).

argus Linnaeus (see paragraph 29 above).² It must be concluded therefore that on this occasion Fabricius used the name *Papilio argus* Linnaeus in the sense intended by Linnaeus and that, like Linnaeus in 1758, he did not realise the existence of more than one species and confused examples of both under the same name. In Fabricius's later works the name *Papilio argus* Linnaeus was used in much the same way. If therefore it were to be assumed—as, under *Opinion* 65, it must be assumed in the first instance—that Fabricius correctly identified *Papilio argus* Linnaeus, 1758, and therefore that the species so identified, being the sole species included by Latreille in the genus *Polyommatus* Latreille, 1804, was automatically the type of that genus, then the name *Polyommatus* Latreille, 1804, would be an objective synonym of *Plebejus* Kluk, 1802, of which also that species is the type.

48. It is quite clear however from Latreille's subsequent writings that the true *Papilio argus* Linnaeus was not the species to which Latreille intended to refer when in 1804 he cited "*argus* Fab." as the sole species belonging to the genus *Polyommatus* Latreille. Thus, in 1805 (the year following the publication of the name *Polyommatus* Latreille) and again in 1817 Latreille gave for what he called "*argus*" the reference "*P. argus* bleu, pl. 38, fig. 80." The reference is to Ernst & Engramelle's *Papillons d'Europe* and the figure cited represents the common European species *Papilio icarus* Rottemburg, 1775. In 1817 Latreille added a reference to figs. 292–294 [on pl. *Pap.* 60] of Hübner's *Sammlung europäischer Schmetterlinge*, which also represent that species. There is therefore no doubt that, when Latreille established the genus *Polyommatus* and placed in it the species which he called "*argus* Fab.," his intention was to cite the species, the oldest available name for which is *Papilio icarus* Rottemburg. This is the sense in which the name *Polyommatus* Latreille has been universally used for many years.

49. There is clearly no sense or justification for interpreting the Code in such a way as (a) to deprive *Papilio icarus* Rottemburg and its numerous congeners of the generic name *Polyommatus* Latreille and (b) to sink that well-known and universally used name as a synonym of *Plebejus* Kluk, merely for the sake of maintaining the patently unwarrantable assumption that Latreille correctly identified *Papilio argus* Fabricius (and therefore also *Papilio argus* Linnaeus) at the time when he founded the genus *Polyommatus* Latreille.

50. I accordingly ask the International Commission on Zoological Nomenclature to render an *Opinion* under their plenary powers declaring that the type of *Polyommatus* Latreille, 1804, is *Papilio icarus* Rottemburg, 1775, *Naturforscher* 6: 21, i.e. the species to which Latreille was certainly referring when he founded that genus.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The questions raised in Commissioner Hemming's paper were considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935 during the Sixth International Congress of Entomology. The International Committee unanimously agreed to recommend the International Commission on Zoological Nomenclature to render an *Opinion* clarifying the meaning of *Opinion* 65 in the manner

² For the passage here referred to, see *Opinion* 169 (page 434 above).

proposed.³ Having reached this conclusion on the general question involved, the International Committee examined the particular cases in the Order Lepidoptera submitted in the same paper. The International Committee considered that, if (as they had just agreed to recommend) the International Commission agreed to render an *Opinion* clarifying *Opinion* 65 in the manner proposed in the petition, the only possible course as regards the genus *Polyommatus* Latreille, 1804, would be for the International Commission to render an *Opinion* declaring *Papilio icarus* Rottemburg, 1775, to be its type. The International Committee agreed therefore to recommend the International Commission to proceed in this way under their plenary powers.

4. The above and other resolutions adopted by the International Committee at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

5. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases

³ For a full account of the subsequent history of the portion of this petition relating to the interpretation of *Opinion* 65 and the decision of the International Commission on Zoological Nomenclature thereon, see *Opinion* 168 (pp. 411-430 above).

in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Polyommatus* Latreille, 1804, was among the cases in question and was accordingly dealt with under the above procedure.

6. At the same meeting as that referred to above (Lisbon Session, 2nd Meeting, Conclusion 23), the International Commission agreed upon certain clarifications of *Opinion* 65 in regard to the status of genera based upon erroneously determined species (Lisbon Session, 2nd Meeting, Conclusion 23 (a) and (c)).⁴ Having thus cleared the ground regarding the principles involved, the Commission proceeded to consider the present and certain other cases in the Order Lepidoptera and the resolutions in regard thereto submitted by the International Committee on Entomological Nomenclature. After careful consideration of the present case, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 23 (b) and (c)) :—⁵

- (b) in the light of (a) above, to suspend the rules in the case of the undermentioned genera and to declare the types of the genera in question to be the species indicated below :

Name of genus	Type of genus
••••• (3) <i>Polyommatus</i> Latreille, 1804, <i>Now. Dict. Hist. nat.</i> 24 (Tab.) : 185, 200	<i>Papilio icarus</i> Rottemburg, 1775, <i>Naturforscher</i> 6 : 21 (the species misidentified as <i>Papilio argus</i> Linnaeus, 1758, by Latreille, 1804)

- (c) to render *Opinions* in the sense of (a) and (b) above.

7. The foregoing decisions were embodied in paragraph 29 of the report which at their meeting held on the morning of Wednesday, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 6), the Commission unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the

⁴ See footnote 3.

⁵ Only those portions of Conclusion 23 which relate to the present case are here quoted. For the full text of Conclusion 23, see 1943, *Bull. zool. Nomencl.* 1 : 23-25.

afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

8. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 5 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913,⁶ by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

9. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

10. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

11. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

⁶ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given cases where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion*

Number One Hundred and Seventy Five (*Opinion 175*) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twelfth day of October, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-21 (containing *Declarations* 1-9 and *Opinions* 1-12) have now been published. Further Parts will be published shortly.

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Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-11 (containing *Opinions* 182-192) have now been published. Further Parts will be published as soon as possible.

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The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £969 16s. 1d. were received up to 30th June 1945. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

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PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 46. Pp. 521-532.

OPINION 176

On the type of *Conulinus* von Martens, 1895
(Class Gastropoda, Order Stylommatophora)
(*Opinion* supplementary to *Opinion* 86)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1946

Price two shillings and one penny

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 176.

ON THE TYPE OF *CONULINUS* VON MARTENS, 1895 (CLASS GASTROPODA, ORDER STYLOMMATOPHORA) (OPINION SUPPLEMENTARY TO OPINION 86).

SUMMARY.—The decision in *Opinion 86* that *Bulimus conulus* Reeve, 1849 (Class Gastropoda, Order Stylommatophora), is the type of *Conulinus* von Martens, 1895, is not affected by the discovery that von Martens' designation of that species as the type in 1897 is antedated by the designation by Woodward in 1896 of *Buliminus (Conulinus) ugandae* von Martens, 1895, since the decision in *Opinion 86* is not dependent upon the action of von Martens in 1897.

I.—THE STATEMENT OF THE CASE.

Opinion 86 of the Commission, published in 1925, stated that "The generic name *Conulinus* von Martens, 1895, takes as type *Buliminus (Conulinus) conulus* Rv., and is not necessarily invalidated by *Conulina* Bronn."

2. The reasons which led the Commission to the conclusion that *B. conulus* Reeve was the type of *Conulinus* von Martens are set out in the latter part of *Opinion 86* under the heading "Discussion."

3. In 1929 Mr. J. R. Le B. Tomlin drew attention to the fact that, contrary to the information submitted to the Commission when the draft of *Opinion 86* was under consideration, the first designation of a type for *Conulinus* von Martens subsequent to the publication of that name in 1895 was the designation in 1896 of *Buliminus (Conulinus) ugandae* von Martens, 1895, in the *Zoological Record* for the year 1895 ([1896], *Zool. Rec.* 32 : Moll. 59) and not the designation of *Bulimus conulus* Reeve, 1849, by von Martens in 1897, as previously supposed. Mr. Tomlin's communication led the Commission to consider whether in the altered circumstances any modification was called for in the decision regarding the type of this genus embodied in *Opinion 86*.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. On the receipt of the above communication from Mr. Tomlin, Dr. Stiles, Secretary to the Commission, referred the problem

so raised to Commissioner F. A. Bather, by whom *Opinion* 86 had been drafted. Dr. Bather replied suggesting that "the Commission be asked to re-affirm *Opinion* 86" with the additional fact submitted by Mr. Tomlin before it. Dr. Bather explained at the same time that he considered that no "statement in a report or record or historical narration" ought to be taken "as an original contribution by the reporter, recorder, or historian unless he has clearly indicated his responsibility for it." The full text of Dr. Bather's letter is quoted in *Opinion* 172,¹ which deals with the general question raised by him in regard to the interpretation of Article 30 of the International Code in relation to the designation of the types of genera in abstracts and similar publications.

5. The text of Dr. Bather's letter was communicated to all members of the Commission on its receipt by Dr. Stiles with a request for the comments of Commissioners on Dr. Bather's proposal. In 1932 Dr. Stiles was in a position to report to the Commission that nine of the eighteen Commissioners had expressed themselves as being in agreement with Dr. Bather's proposal. The Commissioners in question were: Apstein, Cabrera, Chapman, Horváth, Ishikawa, Pellegrin, Silvestri, Stephenson and Stone. If to these votes is added that of Dr. Bather himself, there was therefore already a clear majority in the Commission in favour of re-affirming *Opinion* 86. The only reason why an *Opinion* was not at once rendered in that sense was that Dr. Stiles suggested that the grounds proposed by Dr. Bather required further examination and that it might be preferable to deal first with the general question in regard to the interpretation of Article 30. Later Dr. Stiles suggested that the best course might be for the Commission to postpone taking a decision on the points at issue until they had had an opportunity of discussing the whole matter at their meeting due to be held in Lisbon in September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

6. At their meeting held at Lisbon on Tuesday, 17th September 1935, the Commission considered both the general question of the availability under Article 30 of the International Code of type designations in Abstracts, Records, and similar publications and

¹ See p. 474 above.

also the effect, if any, of a decision on this question on the decision in regard to the type of the genus *Conulinus* von Martens, 1895, embodied in *Opinion* 86. The decision on the first of these questions (Lisbon Session, 4th Meeting, Conclusion 9 (a) and (b)), which has since been embodied in *Opinion* 172,² was to the effect that, where the type of a genus is clearly designated in an Abstract, Record or similar publication, that designation must be accepted as being within the scope of Article 30 of the International Code, in cases where the generic name in question was published on, or before, 31st December 1930.

7. Having reached this decision on the main problem involved, the Commission turned to consider the position arising therefrom as regards the generic name *Conulinus* von Martens, 1895. In the course of the ensuing discussion, attention was drawn to the following considerations :—

- (a) For the reasons explained in the petition on which *Opinion* 86 was founded, serious confusion would have arisen if the Commission had not then (1925) secured that *Bulimus conulus* Reeve should be the type of *Conulinus* von Martens.
- (b) The Commission had not found it necessary on that occasion to use their plenary powers to secure this end, since they were satisfied that for other reasons that species was already the type of *Conulinus* von Martens under the provisions of the International Code.
- (c) Ten years had elapsed since the publication of *Opinion* 86. A change in the type of this genus now would cause still greater confusion, partly because of the additional period that had elapsed during which *Bulimus conulus* Reeve had been accepted as its type and partly because during that period the acceptance of that species as the type of *Conulinus* von Martens had been expressly enjoined by *Opinion* 86.
- (d) The preliminary vote taken in 1931–1932 had shown in the clearest possible fashion (10 votes in favour; none against) that the Commission were firmly of the view that the decision in *Opinion* 86 should be re-affirmed, notwithstanding the additional facts reported by Mr. Tomlin in 1929 (see paragraph 3 of the present *Opinion*).
- (e) In view of (c) and (d) above, the correct course for the Commission to take at the present (Lisbon) meeting was to secure that *Bulimus conulus* Reeve, 1849, remained the type of *Conulinus* von Martens, 1895. The only question for consideration was whether it would be necessary to make use of the Commission's plenary powers to secure this end.
- (f) No explanation had been given by the Commission in the "summary" of *Opinion* 86 regarding the grounds on which it had then been decided that the above species was the type of *Conulinus* von Martens under the provisions of the International Code; but in the discussion of this case in the body of that *Opinion* reference had been made to the action of von Martens in 1897 in designating *B. conulus* Reeve as the type of *Conulinus* von Martens not as the factor determining the designation of that species as the type of that genus, but as a factor confirming the conclusion that the type was this species.

² See pp. 471–482 above.

The main grounds given in the "discussion" were set out (in paragraph (3)) as follows:—

- (3) If attention be confined for the moment to this paper (1895), anyone selecting a genotype would fix on *B. conulus* Reeve for two reasons:—
- (a) As the common species, reference to which is dragged in by the author with the obvious purpose of explaining his new subgenus;
 - (b) As being the trivial name on which the subgeneric name is, without any doubt, based.
- (g) The point made in paragraph (3) of the "discussion" in *Opinion* 86 (quoted above) would have been brought out more clearly if the Commission had said: "In erecting his new subgenus, von Martens not only went out of his way to insert a reference to the common species, *B. conulus* Reeve, but also deliberately selected for that subgenus a name derived, without any doubt, from the trivial name of that species. Through the tautonymy so created, von Martens indicated that he regarded *C. conulus* Reeve as the type of the subgenus *Conulinus* von Martens."

8. In the light of this discussion, the Commission reached the conclusion first that the proper course in the circumstances was to re-affirm *Opinion* 86 and second that there was no need to make use of their plenary powers for this purpose. The Commission agreed, however, that they would use those powers for this purpose, if that course were necessary. They accordingly agreed (Lisbon Session, 4th Meeting, Conclusion 9)³:—

- (b) to re-affirm (if necessary, under their plenary powers) that, as stated in *Opinion* 86, *Bulimus conulus* Reeve, 1849, is the type of *Conulinus* von Martens, 1895 (Mollusca);
- (c) to render *Opinions* in the sense indicated in (a) to (c) above.

9. Later in the same meeting as that referred to above (Lisbon Session, 4th Meeting, Conclusion 17), Commissioner Francis Hemming, who, in the absence through ill-health of Dr. C. W. Stiles, Secretary to the Commission, had been charged with the duty of preparing the report to be submitted by the Commission to the Twelfth International Congress of Zoology, reported that, in accordance with the request made by the Commission on the previous day (Lisbon Session, 3rd Meeting, Conclusion 3(b)), he had made a start with the drafting of the Commission's report; that he had made considerable progress in spite of being hampered by the lack of standard works of reference; and that he did not doubt that he would be in a position to lay a draft report before the Commission at their next meeting, though in the time available it would be quite impracticable to prepare the drafts of paragraphs relating to all the matters on which decisions had been reached

³ Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, see 1943, *Bull. zool. Nomencl.* 1: 36.

during the Lisbon Session of the Commission. As agreed upon at the meeting referred to above (Lisbon Session, 3rd Meeting, Conclusion 3(a)(iii)), he was therefore concentrating upon those matters that appeared to be the more important. Commissioner Hemming proposed that those matters which it was found impossible to include in the report, owing to the shortness of the time available, should be dealt with after the Congress on the basis of the records in the *Official Record of the Proceedings of the Commission* during their Lisbon Session. For this purpose, Commissioner Hemming proposed that all matters unanimously agreed upon during the Lisbon Session should be treated in the same manner, whether or not it was found possible to include references to them in the report to be submitted to the Congress, and therefore that every such decision should be treated as having been participated in by all the Commissioners and Alternates present at Lisbon. The Commission took note of, and approved, the statement by Commissioner Hemming, and adopted the proposals submitted by him, as recorded above, in regard both to the selection of items to be included in their report to the Twelfth International Congress of Zoology and to the procedure to be adopted after the Congress in regard to those matters with which, for the reasons explained, it was found impossible to deal in the report.

10. The question dealt with in the present *Opinion* was one of the matters to which it was found impossible, in the time available, to include a reference in the report submitted by the Commission to the Twelfth International Congress of Zoology at Lisbon. It is therefore one of the matters which falls to be dealt with under the procedure agreed upon by the Commission as set out in paragraph 9 above.

11. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.
 Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

12. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session.

13. The following five (5) Commissioners, who were not present

at Lisbon nor represented thereat by Alternates, did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

14. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent up on the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the suspension of the rules, an *Opinion* is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10) Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed *Opinion* involves a reversal of any former *Opinion* rendered by the Commission, such proposed *Opinion* shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such *Opinion* is to be deemed to have been adopted by the Commission; and

WHEREAS the International Commission consider that the suspension of the rules is not required in order to give valid force to the provisions of the present *Opinion*, as set out in the summary thereof, but have nevertheless signified that, if such action was requisite, they would be willing to use the said powers for the purposes aforesaid; and

WHEREAS the present *Opinion*, as set out in the summary thereof, does not involve the reversal of any former *Opinion* rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present *Opinion* either in person or through Alternates at the Session of the Commission held at Lisbon in September 1935;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of

holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Seventy Six (*Opinion* 176) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twenty-eighth day of October, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

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RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

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RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 47. Pp. 533-544.

OPINION 177

On the type of the genus *Euchloë* Hübner,
[1819] (Class Insecta, Order Lepidoptera), a
genus based upon an erroneously determined
species

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1946

Price two shillings and one penny

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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41, Queen's Gate, London, S.W. 7.

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83, Fellows Road (Garden Flat), London, N.W. 3.



OPINION 177.

ON THE TYPE OF THE GENUS *EUCHLOË* HÜBNER, [1819] (CLASS INSECTA, ORDER LEPIDOPTERA), A GENUS BASED UPON AN ERRONEOUSLY DETERMINED SPECIES.

SUMMARY.—Under suspension of the rules *Euchloë ausonia* Hübner var. *esper* Kirby, 1871, is hereby designated as the type of *Euchloë* Hübner, [1819] (Class Insecta, Order Lepidoptera).

I.—THE STATEMENT OF THE CASE.

In 1935 Commissioner Francis Hemming prepared for the consideration of the International Commission on Zoological Nomenclature a paper dealing with the interpretation of *Opinion* 65 relating to the determination of the types of genera based upon erroneously determined species, with special reference to certain genera in the Order Lepidoptera (Class Insecta). One of the genera in question was *Euchloë* Hübner, [1819], in the family PIERIDAE.

2. The portion of the foregoing paper relating to this genus reads as follows :—¹

(4) *EUCHLOË* Hübner, [1819]²

Hübner, [1819], *Verz. bekannt. Schmett.* (6) : 94

Butler, 1870, *Cistula ent.* 1 : 53

51. Hübner placed in this genus seven species (nos. 994–1000) but designated no type. Hübner's entry for the first of these species reads as follows :—

994. *Euchloë belia* Esp. Pap. 92. 1. Hübner. Pap. 417. 418.

52. The figures given both by Esper and Hübner to which reference was thus made by Hübner on the present occasion unquestionably represent

¹ The text of the first part of this paper relating to the interpretation of *Opinion* 65 is quoted in full in *Opinion* 168 (pp. 411–430 above). The portions of the second part relating to the types of the other genera discussed are quoted in *Opinions* 169 (pp. 431–442 above) (*Lycaeides* Hübner), 173 (pp. 483–494 above) (*Agriades* Hübner), 175 (pp. 509–520 above) (*Polyommatus* Latreille), 179 (pp. 557–568) (*Princeps* Hübner), and 181 (pp. 589–612) (*Carcharodus* Hübner).

² At the time when the paper from which this is an extract was written, it was thought (Hemming, 1934, *Gen. Names hol. Butt.* 1 : 16–17) that pp. 65–240 of Hübner's *Verz. bekannt. Schmett.* were published in 1823. That date was accordingly assigned to the present name. The examination of Hübner's surviving manuscripts has since shown that the correct date is 1819 (see Hemming, 1937, *Hübner* 1 : 517 and also *Opinion* 150 (pp. 161–168 in (Section A of) the present volume). This correction has accordingly been made, wherever necessary, in the extract from Commissioner Hemming's application quoted in the present paragraph.

the common double-brooded South European species, of which both sexes are devoid of orange tips on the forewings on the upperside and thus recall the female of *Papilio cardamines* Linnaeus, 1758. As recently as Staudinger, 1901 (in Staudinger & Rebel, *Cat. Lepid. pal. Faunengeb.* 1 : 12) and Röber, [1907] (in Seitz, *Grossschmett. Erde* 1 : 52) this species was still treated as being *Euchloë belia* (Cramer).

53. The earliest figure of this species is that published by Stoll in 1782 (in Cramer, *Uitl. Kapellen* 4 (34) : 225 pl. 397 figs. A, B) from an example taken at Smyrna. This specimen Stoll misidentified with *Papilio belia* Linnaeus, 1767 (*Syst. Nat.* (ed. 12) 1 (2) : 761 no. 84). Thereafter without a break until 1869 this species was known by the name *belia*. Almost every author in that period overlooked both the fact that Stoll and not Cramer was the author of this part of the *Uitl. Kapellen* and also the fact that Stoll had not given to this species the name *Papilio belia* as a new name but had expressly stated that he identified this species with *Papilio belia* Linnaeus, 1767. In consequence of these errors the name of this species throughout the period referred to above was almost invariably attributed to Cramer.

54. In 1869 however Butler pointed out (*Ent. mon. Mag.* 5 : 271) that the name *Papilio belia* Linnaeus, 1767, could not possibly be associated with the insect from Smyrna figured under that name by Stoll (in Cramer). He accordingly named the Smyrna insect *Euchloë crameri*. At the same time he pointed out that *Papilio belia* Linnaeus, 1767 (described from a specimen taken in North Africa) was the female of the insect described by Linnaeus (also from a North African example) as *Papilio eupheno* Linnaeus, 1767 (*Syst. Nat.* (ed. 12) 1 (2) : 762 no. 88).

55. Two years later the last threads of this complicated story were straightened out when Kirby (1871, *Syn. Cat. diurn. Lep.* : 506) noted that the Smyrna insect originally called (though wrongly) *Papilio belia* Linnaeus by Stoll and in 1869 named *Euchloë crameri* by Butler differed subspecifically from the subspecies from Lyons and the South of France which Esper had figured (also wrongly) as *Papilio belia* Linnaeus (Esper, [1789], *Die Schmett. Supp. Band, 1 Abschn. Tagschmett.* : 1 pl. 94 fig. 1♂). This insect, as Esper himself pointed out, was the other sex of the insect which he had already figured also as *Papilio belia* Linnaeus (Esper, [1784], *Die Schmett.* 1 (Bd. 2) *Fortsetz. Tagschmett.* : 182 pl. 92 fig. 1♀). Kirby rightly accepted the identification of *Papilio belia* Linnaeus as established by Butler (1869) but considered (wrongly) that the oldest available name for the collective species was *Papilio ausonia* Hübner, [1803-1804],³ *Samml. europ. Schmett.* : pl. *Pap.* 113 figs. 582-583♀♀). He realised that the subspecies that occurs at Lyons and in the South of France that had been figured by Esper was without a name and he accordingly named it *Euchloë ausonia* Hübner var. *esperii* Kirby (*ibid.* : 506 no. 3 var. a). This therefore is the correct name (from the subspecific point of view) of Esper's insect and therefore the correct name of the insect treated by Hübner in the *Verzeichniss* as "*Euchloë belia* Esp.," i.e. his species no. 994.

56. Butler (1870) selected "*belia* Cramer" as the type of the genus *Euchloë* Hübner. As shown in paragraph 54 above, Butler was by that date fully aware that "*belia* Cramer" was not the same species as *Papilio belia* Linnaeus, 1767. There is therefore no doubt that Butler's intention was to select as the type of this genus the species which Stoll (in Cramer) had misidentified as *Papilio belia* Linnaeus, i.e. the insect which later had been misidentified in the same way by Esper and which Hübner had called "*Euchloë belia* Esp." in the *Verzeichniss*.

57. The only difficulty arises from the fact that (as shown above)

³ Kirby assigned the date 1803 to this name. It is now known, however, that it should be dated [1803-1804] (see Hemming, 1937, *Hübner* 1 : 230).

Hübner made a mistake of identification in the case of the species (no. 994) which Butler later selected as the type of the genus *Euchloë* Hübner. That genus is therefore a genus based upon an erroneously determined species. If in this case the preliminary assumption enjoined by *Opinion* 65 (namely that Hübner correctly identified the species placed by him in the genus *Euchloë* at the time that he founded that genus) were to be maintained against all the weight of the known facts, the result would be as follows :—

- (i) the name *Euchloë* Hübner, [1819], would cease to be available for the group of species *without* orange tips on the upperside of the forewings in the males, and these species would need to be referred to the genus *Elphinstonia* Klots, 1930 (*Bull. Brooklyn ent. Soc.* **25** : 87) (type : *Anthocharis charlonia* Donzel 1842); (For the grounds on which these species are separated generically from the group *with* orange tips on the upperside of the forewings in the males, see Klots, 1933, *Ent. amer.* (n.s.) **12** : 167-171)
- (ii) the name *Euchloë* Hübner, [1819], would replace the well-known name *Anthocharis* Boisduval, Rambur & Graslin, [1833], (*Coll. icon. hist. Chen. Europe* (21) : pl. 5) (type : *Papilio cardamines* Linnaeus, 1758) as the generic name for the group of species *with* orange tips on the upperside of the forewings in the males, since *Papilio belia* Linnaeus, 1767 (= *Papilio eupheno* Linnaeus, 1767) is certainly congeneric with *Papilio cardamines* Linnaeus, the type of *Anthocharis* Boisduval, Rambur & Graslin, [1833].

58. The maintenance of the erroneous assumption discussed above would thus create one of those "transfer" cases, the prevention of which was one of the avowed objects of the Ninth International Congress of Zoology when they conferred upon the International Commission plenary powers to suspend the rules in certain cases. For the reasons set out above, I accordingly now ask the International Commission to render an *Opinion* under their plenary powers designating as the type of *Euchloë* Hübner, [1819], the insect included by Hübner in that genus as "*Euchloë belia* Esp." and subsequently selected by Butler as the type. This is the insect of which the correct name is *Euchloë ausonia* Hübner var. *esperii* Kirby, 1871. I suggest this course partly because it corresponds with the actual history of this case and partly because there is considerable doubt as to what is the oldest available name for this collective species. This doubt arises from various taxonomic as contrasted with nomenclatorial considerations (namely the question of the identity of the species to which some of the earlier names should be applied and the question whether the insects so named should be regarded as conspecific with one another or should be treated as constituting two or more separate species). The raising of these taxonomic considerations, which fall outside the scope of the International Commission, is avoided by the course here proposed.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The questions raised in Commissioner Hemming's paper were considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935 during the Sixth International Congress of Entomology. The International Committee unanimously agreed to recommend the International Commission on Zoological Nomenclature to render an *Opinion* clarifying the meaning of *Opinion* 65 in the manner

proposed.⁴ Having reached this conclusion on the general question involved, the International Committee examined the particular cases in the Order Lepidoptera submitted in the same paper. The International Committee considered that, if (as they had just agreed to recommend) the International Commission agreed to render an *Opinion* clarifying *Opinion* 65 in the manner proposed in the petition, the only possible course as regards the genus *Euchloë* Hübner, [1819], would be for the International Commission to render an *Opinion* declaring the type of this genus to be the species which Hübner called "*Euchloë belia* Esp." in the *Verz. bekannt. Schmett.* As regards the name to be used in that *Opinion* for that species, the International Committee agreed that, in order to avoid raising purely taxonomic questions, the most suitable name would (as suggested in the application) be *Euchloë ausonia* Hübner var. *esperi* Kirby, 1871. The International Committee agreed therefore to recommend the International Commission on Zoological Nomenclature to proceed in this way under their plenary powers.

4. The above and other resolutions adopted by the International Committee on Entomological Nomenclature at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

5. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the

⁴ For a full account of the subsequent history of the portion of this petition relating to the interpretation of *Opinion* 65 and the decision of the International Commission on Zoological Nomenclature thereon, see *Opinion* 168 (pp. 411-430 above).

Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Euchloë* Hübner, [1819], was among the cases in question and was accordingly dealt with under the above procedure.

6. At the same meeting as that referred to above (Lisbon Session, 2nd Meeting, Conclusion 23), the International Commission agreed upon certain clarifications of *Opinion* 65 in regard to the status of genera based upon erroneously determined species (Lisbon Session, 2nd Meeting, Conclusion 23(a)).⁵ Having thus cleared the ground regarding the principles involved, the Commission proceeded to consider the present and certain other cases in the Order Lepidoptera (Class Insecta) and the resolutions in regard thereto submitted by the International Committee on Entomological Nomenclature. After careful consideration of the present case, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 23 (b) and (c)) :—⁵

.....
 (b) in the light of (a) above, to suspend the rules in the case of the undermentioned genera and to declare the types of the genera in question to be the species indicated below :—

Name of genus	Type of genus
..... (4) <i>Euchloë</i> Hübner, [1819], <i>Verz. bek. Schmett.</i> (6) : 94	<i>Euchloë ausonia</i> Hübner var. <i>esper</i> i Kirby, 1871, <i>Syn. Cat.</i> <i>diurn. Lep.</i> : 506 (the species misidentified as <i>Papilio belia</i> Linnaeus, 1767, by Stoll (<i>in</i> Cramer), and by Esper and Hübner)

.....
 (c) to render *Opinions* in the sense of (a) and (b) above.

⁵ Only those portions of Conclusion 23 which relate to the present case are here quoted. For the full text of Conclusion 23, see 1943, *Bull. zool. Nomencl.* 1 : 23-24.

7. The foregoing decisions were embodied in paragraph 29 of the report which at their meeting held on the morning of Wednesday, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 6), the Commission unanimously agreed to submit to the Twelfth International Congress of Zoology. The report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

8. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 5 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁶ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

9. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

10. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated dis-

⁶ See *Declaration 5* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1: 31-40).

agreement with the conclusions then reached by the Commission in this matter.

11. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the above *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and

every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Seventy Seven (*Opinion* 177) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this eleventh day of November, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

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FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 48. Pp. 545-556.

OPINION 178

On the status of the names *Serphus* Schrank,
1780, and *Proctotrupes* Latreille, 1796 (Class
Insecta, Order Hymenoptera)

LONDON :

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1946

Price two shillings and one penny

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION OF THE COMMISSION

The Officers of the Commission

President : Dr. Karl Jordan, Ph.D., F.R.S. (United Kingdom).

Vice-President : Dr. James L. Peters (U.S.A.).

Secretary : Mr. Francis Hemming, C.M.G., C.B.E. (United Kingdom).

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OPINION 178.

ON THE STATUS OF THE NAMES *SERPBUS* SCHRANK, 1780, AND *PROCTOTRUPES* LATREILLE, 1796 (CLASS INSECTA, ORDER HYMENOPTERA).

SUMMARY.—Under suspension of the rules (i) the name *Serphus* Schrank, 1780, is suppressed for all purposes other than Article 34 of the International Code; (ii) all type designations for *Proctotrupes* Latreille, 1796, made prior to the date of this *Opinion*, are set aside; and (iii) *Proctotrupes brevipennis* Latreille, [1802–1803],¹ is hereby designated as the type of *Proctotrupes* Latreille, 1796 (Class Insecta, Order Hymenoptera). The name *Proctotrupes* Latreille, 1796, with the type indicated above, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 616.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Order Hymenoptera (Class Insecta) in all countries, the following petition signed by Professor Chester Bradley and 59 other hymenopterists was submitted to the International Commission:—

THE CASE OF *PROCTOTRUPES* VERSUS *SERPBUS*

Proctotrupes was proposed by Latreille, 1796, without species. Under *Opinion* 46 its type is *Proctotrupes brevipennis* Latreille, 1802,¹ said to be a synonym of *Ichneumon divagator* Olivier, and a *Proctotrupes* in the sense of authors. But *Proctotrupes* Latr., 1796, is a synonym of *Serphus* Schrank, 1780, the type of which is the congeneric *Serphus brachypterus* Schrank.

Since *Proctotrupes* has been in universal use as type of a well known family, erected by Latreille in 1802, and is the type of a superfamily PROCTOTRUPOIDEA, to change these generic, family and superfamily names as Kieffer has done to *Serphus*, SERPHIDAE, and SERPHOIDEA, would cause confusion.

The undersigned therefore petition the International Commission on Zoological Nomenclature:

- (1) to suspend the rules in the cases of the generic names *Serphus* Schrank and *Proctotrupes* Latreille;
- (2) to permanently reject *Serphus* Schrank, 1780, type *Serphus brachypterus* Schrank;
- (3) to validate *Proctotrupes* Latreille, 1796, type *P. brevipennis* Latr.;
- (4) to place on the *Official List of Generic Names*, the name *Proctotrupes* Latreille, 1796, type *Proctotrupes brevipennis* Latreille, as the correct name for the genus of parasitic wasps commonly passing under that name.

¹ The reference is Latreille, [1802–1803], (in Sonnini's Buffon), *Hist. nat. gén. partic. Crust. Ins.* 3 : 309. For the date here assigned to this volume of the *Hist. nat.*, see Griffin, 1938, *J. Soc. Bibl. nat. Hist.* 1 : 157.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission :—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns ‡
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	M. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiş
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	F. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	E. Kruger †
W. M. Mann	P. Roth	W. Hellen †
R. Fries	E. Enslin	F. X. Williams †
H. von Ihering †	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balduf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld*

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. This case was circulated to the members of the International Commission on Zoological Nomenclature in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

4. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee formed the conclusion that it was desirable that the International Commission on Zoological Nomenclature should use their plenary powers in order to preserve the long-established name *Proctotrupes* Latreille, 1796, with the family and superfamily names derived therefrom, since, having regard to the literature as a whole, confusion rather than uniformity was likely to result from the supersession of these names

by the names *Serphus* Schrank, SERPHIDAE, and SERPHOIDEA. The International Committee agreed therefore to recommend to the International Commission on Zoological Nomenclature that the name *Serphus* Schrank, 1780, should be suppressed under the Commission's plenary powers and that *Proctotrupes* Latreille, 1796 (type: *Proctotrupes brevipennis* Latreille, [1802-1803]), should be placed on the *Official List of Generic Names in Zoology*.

5. The above and other recommendations adopted by the International Committee on Entomological Nomenclature at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

6. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the names *Serphus* Schrank, 1780, and *Proctotrupes*

Latreille, 1796, was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

7. This case was considered by the International Commission at their meeting held on the afternoon of Monday, 16th September 1935 (Lisbon Session, 3rd Meeting, Conclusion 2), when the Commission agreed ² :—

(b) under " suspension of the rules " permanently to reject the following generic names :—

(16) *Serphus* Schrank, 1780, *Schrift. Berlin. Ges. nat. Freunde* 1 : 307

(c) under " suspension of the rules " to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below :—

Name of genus

Type of genus

(32) *Proctotrupes* Latreille, 1796, *Proctotrupes brevipennis* Latreille, *Précis Caract. Ins.* : 108 [1802-1803], (in Sonnini's Buffon), *Hist. nat. gén. partic. Crust. Ins.* 3 : 309

(d) under " suspension of the rules " to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names (19) to (34)), each with the type species there indicated;

(e) to render *Opinions* in the sense of (a) to (d) above.

8. The foregoing decision was embodied in paragraph 27 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology.

9. At the same meeting the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10 ³) that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements and to take such other action, as might appear to them to be necessary or expedient :—

(i) to establish the Secretariat of the Commission at its new headquarters;

(ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;

(iii) to give effect to the decisions reached by the Commission at their Lisbon Session;

(iv) to obtain the finance required for the due functioning of the Commission; and generally

(v) to secure the effective continuance of the work of the Commission.

² Only those portions of Conclusion 2 which relate to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* 1 : 27-30.

³ See 1943, *Bull. zool. Nomencl.* 1 : 48.

10. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

11. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 6 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution⁴ adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the case of the names dealt with in the present *Opinion*, one communication only has been addressed to the Commission raising objection to the suspension of the rules in this case. This communication, which was dated 1st March 1937, and bore the signature of Dr. S. A. Rohwer, was addressed to the Commission in the name of the Committee on Nomenclature of the Entomological Society of Washington. The passage in that document relating to the present case reads as follows:—

THE CASE OF *PROCTOTRUPES* LATREILLE, 1796

Proctotrupes Latr., 1796, described without originally included species, is a straight synonym of *Serphus* Schrank, 1780, although until the beginning of this century it, rather than *Serphus*, was generally employed for this group. However, during the past twenty-five years vastly more taxonomic literature has used *Serphus*, SERPHIDAE and SERPHOIDEA than *Proctotrupes*, PROCTOTRUPIDAE and PROCTOTRUPOIDEA. J. J. Kieffer, who has published an enormous amount of work on the group, much more than any other investigator, has used *Serphus*, and supergeneric names based on that generic name, in such standard monographs as those published in André's "*Species des Hyménoptères d'Europe et Algérie*, vol. 10 (1907); in Wytzman's *Genera Insectorum*, fasc. 95 (1909), and in *Das Tierreich* (1914). Brues,⁵

⁴ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1: 31-40).

⁵ It will be seen from paragraph 2 of the present *Opinion* that this author's name is one of those included in the list of signatories of the petition submitted to the International Commission in favour of the suspension of the rules in this case.

Crawford, Fouts,⁵ Gahan⁵ and others have followed Kieffer in this usage, and there now exists a large body of literature in which *Serphus* and the supergeneric names based on it have been employed. It seems therefore wholly unnecessary, and decidedly inadvisable, to revert to *Proctotrupes* in this case.

12. Immediately upon its receipt by the Commission copies of the document from which the passage quoted above is an extract were communicated (April 1937) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the representations contained therein.

13. The representations set out in paragraph 11 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held at Lisbon on 18th September 1935 (for the text of which see paragraph 9 above). The Plenary Conference (Plenary Conference, 1st Meeting, Conclusion 9)⁶ :—

.....
(b) examined the communications that had been received during the prescribed period in regard to the undermentioned names :—

.....
(vii) *Proctotrupes* Latreille, 1796 from the Committee on Nomenclature of the Entomological Society of Washington

.....
(c) took note that, although copies of the communications referred to in (b) above had been transmitted to each member of the Commission immediately upon their receipt, no member of the Commission had expressed himself as being in agreement with the representations contained therein ;

(d) agreed that the communications referred to in (b) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year ;

(e) agreed that, in view of (c) and (d) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decisions in this matter reached by the International Commission at their Lisbon Session (3rd Meeting, Conclusion 2) and therefore that *Opinions* should be issued as soon as possible in the sense indicated in paragraph 27 of the report submitted by them to the Twelfth

⁶ Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, see 1943, *Bull. zool. Nomencl.* 1 : 76-77.

International Congress of Zoology and approved and adopted by that Congress at the Concilium Plenum held at Lisbon on 21st September 1935.

14. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

15. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

16. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

17. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the said suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Seventy Eight (*Opinion* 178) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this eleventh day of November, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1–9 (which have never previously been published) and *Opinions* 1–133 (the original issue of which is now out of print). In order that the volume, when bound, may be of a convenient size for handling, it has been decided to divide volume 1 into a series of Sections, which will be continuously paged but will each be supplied with a title page and index. It is at present contemplated that the first of these Sections (Section A) will comprise *Declarations* 1–9 and *Opinions* 1–29, but no final decision can be taken until it is possible to estimate more closely than at present the number of pages required for a volume so composed. An announcement on this subject will be made as soon as possible.

Parts 1–21 (comprising *Declarations* 1–9 and *Opinions* 1–12) have now been published. Further Parts are in the press and will be published as soon as possible.

Volume 2. This volume will contain *Declarations* 10–12 and *Opinions* 134–181 and will thus be a complete record of all the decisions taken by the International Commission on Zoological Nomenclature at their meeting held at Lisbon in 1935. This volume will be published in two Sections, which will be continuously paged but will each be supplied with a title page and index.

Section A, comprising *Declarations* 10–12 and *Opinions* 134–160 (published in Parts 1–30 and 30 A), is now complete, price £4 4s. 0d. Individual Parts of this Section are also obtainable separately at the prices at which they were originally published.

Section B will comprise *Opinions* 161–181 (to be published in Parts 31–52). Parts 31–50 (containing *Opinions* 161–180) have now been published and it is hoped that the remaining Parts will be issued at an early date.

Volume 3. This volume, which commenced with *Opinion 182*, will contain the first instalment of the *Opinions* adopted by the International Commission since their Lisbon meeting. Parts 1-11 (containing *Opinions 182-192*) have now been published. Further Parts will be published as soon as possible.

Bulletin of Zoological Nomenclature.

This journal was established by the International Commission on Zoological Nomenclature in 1943 as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Parts 1-7 of volume 1 have now been published. Further Parts are in the press and will be published as soon as possible.

Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 49. Pp. 557-568.

OPINION 179

On the type of the genus *Princeps* Hübner, [1807], and its synonym *Orpheides* Hübner, [1819] (Class Insecta, Order Lepidoptera), genera based upon an erroneously determined species

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Sold at the Publications Office of the Commission
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OPINION 179.

ON THE TYPE OF THE GENUS *PRINCEPS* HÜBNER, [1807], AND ITS SYNONYM *ORPHEIDES* HÜBNER, [1819] (CLASS INSECTA, ORDER LEPIDOPTERA), GENERA BASED UPON AN ERRONEOUSLY DETERMINED SPECIES.

SUMMARY.—Under suspension of the rules *Papilio demodocus* Esper, [1798], is hereby designated as the type of *Princeps* Hübner, [1807], and of its synonym *Orpheides* Hübner, [1819], (Class Insecta, Order Lepidoptera).

I.—THE STATEMENT OF THE CASE.

In 1935 Commissioner Francis Hemming prepared for the consideration of the International Commission on Zoological Nomenclature a paper dealing with the interpretation of *Opinion* 65 relating to the determination of the types of genera based upon erroneously determined species, with special reference to certain genera in the Order Lepidoptera (Class Insecta). One of the genera in question was *Princeps* Hübner, [1807], in the family PAPILIONIDAE.

2. The portion of the foregoing paper relating to this genus reads as follows :—¹

(5) *PRINCEPS* HÜBNER, [1807], AND *ORPHEIDES* HÜBNER, [1819]²

(A) *Princeps* Hübner, [1807]

Hübner, [1807], *Samml. exot. Schmett.* 1 : pl. [116]

59. This name first appeared in print in Hübner's *Tentamen*, where *Papilio machaon* Linnaeus, 1758, was the sole species cited and would have been the type by monotypy, had it not been for the fact that the International Commission have declared in *Opinion* 97 that the *Tentamen* is to be rejected. In the same *Opinion* the Commission stated that the *Tentamen* names should be judged for purposes of availability as from the date of their next subsequent publication.

¹ The text of the first part of this paper relating to the interpretation of *Opinion* 65 is quoted in full in *Opinion* 168 (pp. 411-430 above). The portions of the second part relating to the type of the other genera discussed are quoted in *Opinions* 169 (pp. 431-442 above) (*Lycaeides* Hübner), 173 (pp. 483-494 above) (*Agriades* Hübner), 175 (pp. 509-520 above) (*Polyommatus* Latreille), 177 (pp. 533-544 above) (*Euchloë* Hübner), and 181 (pp. 589-612) (*Carcharodus* Hübner).

² At the time when the paper from which this is an extract was written, it was thought (Hemming, 1934, *Gen. Names hol. Butt.* 1 : 16-17) that pp. 65-240 of Hübner's *Verz. bekannt. Schmett.* were published in 1823.

60. The first publication of the name *Princeps* after the *Tentamen* is in volume 1 of Hübner's *Sammlung exotischer Schmetterlinge*. Hübner there used this name as a generic name for the species figured on plates [106] to [134]. These plates were not published in serial order and their publication was spread over a long period. Only one of these plates was published as early as 19th December 1807. This is plate [116] depicting a species to which Hübner applied the name *Princeps demoleas* [sic]. This is the sole species placed in this genus by that date and is accordingly the type of *Princeps* Hübner, [1807].

61. Hübner never cited authors' names, when giving the names of species on the legends of plates in the *Samml. exot. Schmett.* and it is necessary first to determine whether he considered himself the author of the name *Princeps demoleas*. If he did so consider himself, no difficulty would arise as regards *Princeps* Hübner, since it would not be the name of a genus based upon an erroneously determined species. There is, however, no doubt that Hübner did not regard himself in this light. The insect figured on pl. [116] is the tropical African Papilionid which in 1764 Linnaeus, when compiling his catalogue of the collection of Queen Ludovica Ulrica of Sweden, described under the name *Papilio demoleus*. This name was not published by Linnaeus for the first time in 1764; all that he did on that occasion was to apply to this African species the name *Papilio demoleus*, which he had first published in 1758. Unfortunately, Linnaeus had in 1758 applied this name not to the present African species but to a similar Indo-Oriental species. This mistake by Linnaeus is well known to all students of this group, who agree that the synonymy of the two species is as follows:—

(i) The Indo-Oriental species: *Papilio demoleus* Linnaeus, 1758

Papilio demoleus Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 464 "Habitat in Asia"

(ii) The African species: *Papilio demodocus* Esper, [1798]

Papilio demoleus Linnaeus, 1764 [nec 1758], *Mus. Lud. Ulr.*: 214 "Habitat ad Cap. b. spei"

Papilio demodocus Esper, [1798], *Ausl. Schmett.* (14): 205 pl. 51 fig. 1

Princeps demoleas [sic] Linnaeus, 1764 [nec 1758], Hübner, [1807], *Samml. exot. Schmett.* 1: pl. [116]

Orpheides demoleus Linnaeus, 1764 [nec 1758], Hübner, [1819], *Verz. bekannt. Schmett.* (6): 86

62. The position is therefore:—

(i) that by 19th December 1807 Hübner had only published one species for the genus *Princeps* Hübner, of which therefore the species so included is the type by monotypy;³

That date was accordingly assigned to the present name. The examination of Hübner's surviving manuscripts has since shown that the correct date is 1819 (see Hemming, 1937, *Hübner* 1: 517 and also *Opinion* 150 (pp. 161-168 in (Section A of) the present volume). This correction has accordingly been made, wherever necessary, in the extract from Commissioner Hemming's application quoted in the present paragraph.

³ Hübner gave no description or definition for the new generic names published by him in the *Samml. exot. Schmett.* Accordingly, such names are only available when they were accompanied by an "indication." As prescribed in *Opinion* 1 (see 1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1: 73-86), a generic name published for a genus, in which only one species was included by the original author of the genus, is to be accepted as a monotypical genus and therefore as a genus, for which an "indication" was given by its author at the time of the first publication of the generic name in question.

- (ii) that this species is the African species which in 1764 Linnaeus misidentified with the Indo-Oriental species *Papilio demoleus* Linnaeus, 1758;
- (iii) that, when publishing the first of the plates depicting species of the genus *Princeps* Hübner, Hübner made the same error of identification as that made by Linnaeus in 1764 and applied to the African species the specific trivial name *demoleus* (misspelt *demoleas* either by a slip of the pen or by a printer's error) which properly belongs to the Indo-Oriental species.

63. Accordingly, if it were to be assumed—as under *Opinion* 65 it must be assumed in the first instance—that Hübner correctly identified *Papilio demoleus* Linnaeus, 1758, the ludicrous position would arise, whereby the type of *Princeps* Hübner would be the Indo-Oriental species in spite of the fact that the African species is the only species which Hübner had placed in that genus at the time he first published a plate representing a species thereof. This is therefore quite clearly a case where the preliminary assumption prescribed by *Opinion* 65 must be discarded and one where the second part of that *Opinion* comes into operation, that is to say that the case should be submitted “with full details” to the International Commission on Zoological Nomenclature.

64. In order to secure that the type of this genus shall be the only species included in it by Hübner at the time that he first published the generic name *Princeps* Hübner, I therefore now ask the International Commission on Zoological Nomenclature to render an *Opinion* under their plenary powers, declaring that the type of *Princeps* Hübner, [1807], is *Papilio demodocus* Esper, [1798], the species which was figured by Hübner in 1807 as *Princeps demoleas* [sic] and was the sole species at that time placed in this genus.

(B) *Orpheides* Hübner, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (6) : 86

65. The position of the genus *Orpheides* Hübner, [1819], is indistinguishable from that of *Princeps* Hübner, [1807]. Hübner placed two species in this genus (species nos. 886 & 887) but designated no type. The entry for the first of these species reads as follows :—

886. Orphēides Demoleus Linn. Syst. Pap. 46. Cram. 231. A. B. Hübner. Prin. dom. Demoleus.

66. It will be seen from the above entry that Hübner made exactly the same mistake of identification as that made by Linnaeus in 1764 (see paragraph 61 above); he misapplied to the African species the name *Papilio demoleus* Linnaeus, 1758, which (as already explained) applies properly to the Indo-Oriental species. This species was selected as the type of the genus *Orpheides* Hübner, [1819], by Scudder in 1875 (*Proc. Amer. Acad. Arts Sci.*, Boston 10 : 234). There is no doubt whatever that it was the African and not the Indo-Oriental species which Scudder had in mind when he wrote the words “Demoleus may be taken as the type.” First, he enumerated the two species placed in this genus by Hübner and printed the name of the first (Demoleus) in clarendon type, the method by which throughout his 1875 paper he indicated which species was the type of each genus. Second, as already explained (in paragraph 33 above⁴) in con-

Hübner included a large number of species in the genus *Princeps* Hübner, but by 19th December 1807, the date on which pl. [116] (containing figures of *Princeps demoleas*) was published, only one species (*Princeps demoleas*) had been assigned by Hübner to the genus *Princeps* Hübner. *Princeps demoleas* is therefore the type of *Princeps* Hübner, [1807], by monotypy.

⁴ For the text of the passage here referred to, see paragraph 2 of *Opinion* 169 (pp. 435–436 above).

nection with Scudder's identification of *Papilio argus* Linnaeus, Hübner, as the type of *Lycaeides* Hübner, [1819], Scudder throughout his 1875 paper used the nomenclature in the (then recently published) *Syn. Cat. diurn. Lep.* of Kirby (1871) and cited in brackets the name used by Kirby for any given species, if that name was different from the one given for the species in question by the original author of a genus. In the present case, Scudder placed no name in brackets against the name "Demoleus," thereby signifying that Kirby had used the same name for this species. This species is dealt with on p. 543 of Kirby's *Catalogue*, where from the references cited, which include *Papilio demodocus* Esper, it is quite clear that Kirby, like Linnaeus in 1764, misidentified the African species with *Papilio demoleus* Linnaeus, 1758.

67. In these circumstances it is evident that whatever decision is taken in regard to *Princeps* Hübner, [1807], must govern also *Orpheides* Hübner, [1819]. I accordingly ask the International Commission on Zoological Nomenclature to include in the proposed *Opinion* a declaration that *Papilio demodocus* Esper, [1798], is the type of *Orpheides* Hübner. That genus will thereupon become *de jure* what it has always been treated as being by those who accepted the *Samml. exot. Schmett.* and not the *Tentamen* as the place where the name *Princeps* Hübner was first published (see paragraph 60 above), namely an objective synonym of *Princeps* Hübner, [1807].

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The questions raised in Commissioner Hemming's paper were considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935 during the Sixth International Congress of Entomology. The International Committee unanimously agreed to recommend the International Commission on Zoological Nomenclature to render an *Opinion* clarifying the meaning of *Opinion* 65 in the manner proposed.⁵ Having reached this conclusion on the general question involved, the International Committee examined the particular cases in the Order Lepidoptera submitted in the same paper. The International Committee on Entomological Nomenclature considered that, if (as they had agreed to recommend) the International Commission on Zoological Nomenclature agreed to render an *Opinion* clarifying *Opinion* 65 in the manner proposed in the petition, the only possible course as regards the genus *Princeps* Hübner, [1807], and its synonym *Orpheides* Hübner, [1819], would be for the International Commission to render an *Opinion* declaring that *Papilio demodocus* Esper, [1798], to be the type of both these genera. The International Committee on Entomological Nomenclature agreed there-

⁵ For a full account of the subsequent history of the portion of this petition relating to the interpretation of *Opinion* 65 and the decision of the International Commission on Zoological Nomenclature thereon, see *Opinion* 168 (pp. 411-430 above).

fore to recommend the International Commission on Zoological Nomenclature to proceed in this way under their plenary powers.

4. The above and other resolutions adopted by the International Committee on Entomological Nomenclature at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

5. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Princeps* Hübner, [1807] (and its synonym *Orpheides* Hübner, [1819], was among the cases in question and was accordingly dealt with under the above procedure.

6. At the same meeting as that referred to above (Lisbon Session, 2nd Meeting, Conclusion 23), the International Com-

mission agreed upon certain clarifications of *Opinion* 65 in regard to the status of genera based upon erroneously determined species (Lisbon Session, 2nd Meeting, Conclusion 23 (a) and (c)).⁶ Having thus cleared the ground regarding the principles involved, the Commission proceeded to consider the present and certain other cases in the Order Lepidoptera and the resolutions in regard thereto submitted by the International Committee on Entomological Nomenclature. After careful consideration of the present case, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 23 (b) and (c))⁶ :—

- (b) in the light of (a) above, to suspend the rules in the case of the under-mentioned genera and to declare the types of the genera in question to be the species indicated below :—

Name of genus	Type of genus
(5) <i>Princeps</i> Hübner, [1807], <i>Samml. exot. Schmett.</i> 1 : pl. [116]	<i>Papilio demodocus</i> Esper, [1798], <i>Ausl. Schmett.</i> (14) : 205 (first described by Linnaeus in 1764 as <i>Papilio demoleus</i> , a name given by him in 1758 to another species; similarly misidentified by Hübner)
and	
<i>Orpheides</i> Hübner, [1819], ⁷ <i>Verz. bek. Schmett.</i> (6) : 86	

- (c) to render *Opinions* in the sense of (a) and (b) above.

7. The foregoing decisions were embodied in paragraph 29 of the report which at their meeting held on the morning of Wednesday, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 6), the Commission unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

8. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph

⁶ Only those portions of Conclusion 23 which relate to the present case are here quoted. For the full text of Conclusion 23, see 1943, *Bull. zool. Nomencl.* 1 : 23-25.

⁷ As explained on page 68 of vol. 1 of the *Bull. zool. Nomencl.*, it was believed at the time of the Lisbon Session that this name was published in 1823. See also footnote 2. For the reasons there explained, the date has been corrected to 1819, the year in which it is now known that this name was published.

5 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution⁸ adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

9. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

10. The present *Opinion* was dissented from by no Commissioner or Alternate at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

11. The following five (5) Commissioners who were not present at Lisbon or represented thereat by Alternates did not vote on the present *Opinion*:—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION.*

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological

⁸ See *Declaration 5* (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature 1*: 31-40).

Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Seventy Nine (*Opinion* 179) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twentieth day of November, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations 1-9* (which have never previously been published) and *Opinions 1-133* (the original issue of which is now out of print). In order that the volume, when bound, may be of a convenient size for handling, it has been decided to divide volume 1 into a series of Sections, which will be continuously paged but will each be supplied with a title page and index. It is at present contemplated that the first of these Sections (Section A) will comprise *Declarations 1-9* and *Opinions 1-29*, but no final decision can be taken until it is possible to estimate more closely than at present the number of pages required for a volume so composed. An announcement on this subject will be made as soon as possible.

Parts 1-21 (comprising *Declarations 1-9* and *Opinions 1-12*) have now been published. Further Parts are in the press and will be published as soon as possible.

Volume 2. This volume will contain *Declarations 10-12* and *Opinions 134-181* and will thus be a complete record of all the decisions taken by the International Commission on Zoological Nomenclature at their meeting held at Lisbon in 1935. This volume will be published in two Sections, which will be continuously paged but will each be supplied with a title page and index.

Section A, comprising *Declarations 10-12* and *Opinions 134-160* (published in Parts 1-30 and 30 A), is now complete, price £4 4s. *od.* Individual Parts of this Section are also obtainable separately at the prices at which they were originally published.

Section B will comprise *Opinions 161-181* (to be published in Parts 31-52). Parts 31-50 (containing *Opinions 161-180*) have now been published and it is hoped that the remaining Parts will be issued at an early date.

Volume 3. This volume, which commenced with *Opinion 182*, will contain the first instalment of the *Opinions* adopted by the International Commission since their Lisbon meeting. Parts I-II (containing *Opinions 182-192*) have now been published. Further Parts will be published as soon as possible.

Bulletin of Zoological Nomenclature.

This journal was established by the International Commission on Zoological Nomenclature in 1943 as their Official Organ in order to provide a medium for the publication of:—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Parts 1-7 of volume 1 have now been published. Further Parts are in the press and will be published as soon as possible.

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 50. Pp. 569-588.

OPINION 180

On the status of the names *Sphex* Linnaeus,
1758, and *Ammophila* Kirby, 1798 (Class
Insecta, Order Hymenoptera)

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature

Sold at the Publications Office of the Commission
41, Queen's Gate, London, S.W.7

1946

Price three shillings and six pence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 180.

ON THE STATUS OF THE NAMES *SPHEX* LINNAEUS, 1758, AND *AMMOPHILA* KIRBY, 1798 (CLASS INSECTA, ORDER HYMENOPTERA).

SUMMARY.—Under the rules the type of *Sphex* Linnaeus, 1758 (Class Insecta, Order Hymenoptera) is *Sphex sabulosa* Linnaeus, 1758, as stated in *Opinion* 32 rendered by the International Commission on Zoological Nomenclature prior to the grant to them by the International Congress of Zoology at Monaco in 1913 of plenary power to suspend the rules as applied to any given case where, in their judgment, the strict application of the rules would clearly result in greater confusion than uniformity. In the judgment of the Commission, *Sphex* Linnaeus, 1758, is such a case. Accordingly, under suspension of the rules (i) all type designations for *Sphex* Linnaeus, 1758, and *Ammophila* Kirby, 1798, made prior to the date of this *Opinion* are hereby set aside; (ii) *Sphex flavipennis* Fabricius, 1793, is hereby designated as the type of *Sphex* Linnaeus, 1758; and (iii) *Sphex sabulosa* Linnaeus, 1758, is hereby designated as the type of *Ammophila* Kirby, 1798. The names *Sphex* Linnaeus, 1758, and *Ammophila* Kirby, 1798 (Class Insecta, Order Hymenoptera), with the types indicated above, are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 617 and 618.

I.—THE STATEMENT OF THE CASE.

As the result of consultations initiated by Professor James Chester Bradley with the leading systematic workers in the Order Hymenoptera (Class Insecta) in all countries, the following petition signed by Professor Chester Bradley and 59 other Hymenopterists was submitted to the International Commission:—

THE CASES OF *SPHEX* AND *AMMOPHILA*

The genus *Sphex* Linnaeus, 1758, has for its type *S. sabulosa* L. by designation of Fernald (*Entomological News* 1905, v. 15 p. 163 and see further *Opinion* 32). But it has long and universally been used in a sense as though *Sphex maxillosus* of Fabricius were type (as it was incorrectly stated to be by Kohl, 1890) and in that sense was used as type of the subfamily SPHECINAE by Ashmead in 1899. Since Fernald's designation of *sabulosa* as type American authors have generally used *Sphex* to replace what has always been called *Ammophila*, a genus which on account of

*

biologically interesting habits has been extensively mentioned in general literature, and have correspondingly used CHLORIONINAE instead of SPHECINAE, together with SPHECINAE in lieu of AMMOPHILINAE. European authors have not generally made this change.

The genus *Ammophila* Kirby, 1798, has also for its type *Sphex sabulosa* of Linnaeus, cited by Kirby as a synonym of his first included species *vulgaris*, and designated by Latreille, 1810, as a type. *Ammophila*, therefore, under the Code, although in universal use for more than a century is a pure synonym of *Sphex*, which has been the universally accepted name of a large related genus.

Therefore, according to the Code :

- Sphex* of authors becomes *Ammobia* Billberg ranked as a subgenus of *Chlorion* Latr.;
- Subfamily SPHECINAE of authors becomes CHLORIONINAE;
- Subfamily AMMOPHILINAE of authors becomes SPHECINAE *nec auct.*

In order to conserve these names in their long accepted sense the undersigned respectfully petition the International Commission on Zoological Nomenclature to take the following action, to wit :

- (1) to suspend the rules in the case of the generic names *Sphex* and *Ammophila*;
- (2) to set aside the designation by Fernald of *sabulosa* L. as the type of *Sphex*;
- (3) to validate :—
 - (a) *Sphex* Linnaeus, 1758, with *S. flavipennis* Fabr. as type;

None of the originally contained species definitely recognizable at present, belong to *Sphex* in the sense of authors. *S. flavipennis*, although not an original species, was designated (invalidly according to the Code) as type of *Sphex* by Latreille, 1810.
 - (b) *Ammophila* Kirby, 1798, type *Sphex sabulosa* Fabr., by designation of Latreille, 1810;
- (4) to place on the *Official List of Generic Names* :

Sphex Linnaeus, 1758, type *Sphex flavipennis* Fabr. as the correct name for a genus of digger-wasps with one-segmented petiole;

Ammophila Kirby, 1798, type *Sphex sabulosa* Fabr. as the correct name for a genus of digger-wasps with two-segmented petiole.

2. The following is the list of signatures attached to the above petition at the time of its submission to the International Commission :—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	M. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiş
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	E. Kruger †
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R. Friese	E. Enslin	F. X. Williams †

H. von Ihering †
 A. C. W. Wagner
 H. Hedicke
 H. Bischoff
 L. Masi

A. von Schulthess
 R. B. Benson *
 H. F. Schwarz
 W. V. Balduf *
 D. S. Wilkinson *

O. Schmiedeknecht †
 N. N. Kuznezov-
 Ugamtsky †
 F. E. Lutz
 L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

3. The following notes were attached to the foregoing petition:—

(a) *Extract from a letter from Dr. S. A. Rohwer to Professor James Chester Bradley*

I cannot sign this and I hope that you will not feel called upon to circulate it, as it is asking the Commission to reverse its opinion.¹ Such a petition would imply lack of confidence, and would be in my opinion a step backward. Should the Commission reverse its opinion, the principle for which it was founded—namely, stability of nomenclature, would be seriously jeopardized.

(b) *Note by Professor James Chester Bradley*

Opinion 32, to which Mr. Rohwer has reference, determined the type of the genus *Sphex* on the basis of the premises submitted. The question of setting aside the rules and conserving *Sphex* in the customary sense was not considered, in fact the Commission at that time would have had no power to do so. To now ask the Commission to set aside the rules concerning *Sphex* is not requesting a reversal of its decision. Now that the type of *Sphex* under the rules is established, there is point in the further step of asking the Commission to suspend the rules in the case, an act which would be futile before it was clear what the type under the rules actually is. - (J.C.B.)

II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. This case was circulated to the members of the International Commission on Zoological Nomenclature in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

5. This case was considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in the second week of September 1935, during the Sixth International Congress of Entomology. The International Committee on Entomological Nomenclature first examined the only objection

¹ On this point, see the "summary" and paragraphs 5 and 9(i) of the present *Opinion*.

that had been lodged against the action proposed, namely that that action would involve asking the International Commission on Zoological Nomenclature to reverse the decision embodied in *Opinion 32* where they had declared that "On the basis of the premises submitted, *sabulosa* is the type of *Sphex* Linnaeus, 1758." The International Committee, after examining the application in detail, took note that far from constituting a request that the International Commission on Zoological Nomenclature should reverse their previous decision, the application accepted that decision as the starting point of the case and, on the basis of that decision, asked the International Commission to take a decision on an entirely different question and one which had never previously been submitted to the Commission for decision. When the International Commission rendered *Opinion 32*, which was published in July 1911, they were acting in virtue of the power to render *Opinions* on the interpretation of the International Code that had been conferred upon them by the Seventh International Congress of Zoology at its meeting held at Boston in 1907. At the time of the rendering (and publication) of *Opinion 32*, the International Commission possessed no power to suspend the rules and it was not until 1913 that at Monaco plenary power to suspend the rules in certain cases was conferred upon them by the Ninth International Congress of Zoology. The present application was an application that the International Commission should use those powers in the case of the names *Sphex* Linnaeus, 1758, and *Ammophila* Kirby, 1798, in order to secure that the correct use of those names should be the use in universal currency prior to the designation by Fernald (1905) of *Sphex sabulosa* Linnaeus, 1758, as the type of *Sphex* Linnaeus, 1758. No similar application had ever been submitted to the International Commission in the case of these names. Clearly, therefore, no decision which the International Commission might take on this application could possibly reverse any decision previously given. The International Committee on Entomological Nomenclature agreed therefore that the objection that the present application involved a request for the reversal of *Opinion 32* was misconceived and without any valid force.

6. Having reached this conclusion, the International Committee on Entomological Nomenclature turned to consider the only two questions which, in their judgment, arose on the present application: (a) Would the strict application of the rules in the case of the names *Sphex* Linnaeus and *Ammophila* Kirby result in greater

confusion than uniformity? (b) If so, what action should the International Committee on Entomological Nomenclature recommend the International Commission on Zoological Nomenclature to take under their plenary powers to remedy this situation? As regards the first of these questions, the International Committee agreed that the transfer of *Sphex* Linnaeus to be the name of the genus for so long called *Ammophila* Kirby, with the consequent change in the meaning to be attached to the subfamily name SPHECINAE, would clearly result in greater confusion than uniformity. The International Committee agreed therefore that it was desirable that in this case the International Commission on Zoological Nomenclature should make use of their plenary powers to suspend the rules. On the second of the questions before them, the International Committee on Entomological Nomenclature agreed that, if the International Commission on Zoological Nomenclature was prepared in principle to use their plenary powers in this case, the most satisfactory course would be for them to set aside all existing type designations for *Sphex* Linnaeus, 1758, and to designate as the type of that genus some well-known species which indisputably belonged to the genus *Sphex* in the pre-1905 sense. The International Committee on Entomological Nomenclature agreed that, as none of the original Linnean species satisfied this condition, the International Commission on Zoological Nomenclature should be invited to designate as the type of this genus some species that had not been included in the genus by Linnaeus.² The International Committee agreed further that *Sphex flavipennis* Fabricius, 1793, satisfied the necessary conditions. The selection of that species as the type of *Sphex* Linnaeus, 1758, would have the further advantage that it would in effect confirm the designation of that species as the type of this genus made (erroneously at that time) by Latreille as far back as 1810.³

7. The above and other recommendations adopted by the International Committee on Entomological Nomenclature at their meeting held at Madrid were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

² Earlier at the same Session the International Committee on Entomological Nomenclature had reached a similar conclusion in regard to a genus (*Satyris* Latreille, 1810) in a different Order (Order Lepidoptera). See paragraph 9(iii) below.

³ Latreille in 1810 (*Consid. gén. Anim. Crust. Arach. Ins.* : 438) cited "*Pepsis flavipennis*, Fab." as the type of *Sphex* Linnaeus. For the interpretation of this work of Latreille, see *Opinion* 136 (pp. 13-20 in Section A of the present volume).

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

8. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Sphex* Linnaeus, 1758, and *Ammophila* Kirby, 1796, was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

9. This case was considered by the International Commission on Zoological Nomenclature at their meeting held on the afternoon of Monday, 16th September 1935. At this meeting, the Commission carefully examined both the petition submitted in this case (including the note of dissent by Dr. S. A. Rohwer) and the recommendations in regard thereto submitted by the International Committee on Entomological Nomenclature. In the course of the ensuing discussion attention was drawn to the following considerations:—

- (i) the International Committee on Entomological Nomenclature were perfectly correct in concluding that no de-

cision that might be taken by the International Commission on Zoological Nomenclature on the present application could reverse the decision embodied in the Commission's *Opinion 32*, since the question dealt with in the present application was entirely distinct from that dealt with in that *Opinion*;

- (ii) if the literature, biological as well as taxonomic, of the name *Sphex* Linnaeus, 1758, was looked at as a whole—as should be done, in judging an application of this kind—there was no doubt that greater confusion than uniformity would result from the strict application of the rules in this case;
- (iii) if the plenary powers were to be used to designate as the type of *Sphex* Linnaeus, 1758, some species other than the species which under the rules is its type (*Sphex sabulosus* Linnaeus, 1758), it was essential that the species so selected should be a well-known species that indisputably belonged to the genus *Sphex* Linnaeus in the commonly accepted meaning of that name (*i.e.* in the sense universally understood prior to 1905); if none of the originally included Linnean species satisfied this condition, the most satisfactory course would be to designate as the type of this genus some species which did satisfy those requirements even if for that purpose it was necessary to designate as the type of this genus some species not included in the genus by Linnaeus in 1758; it was pointed out that this would not be the first occasion on which the Commission, acting under their plenary powers, would have designated as the type of a genus a species which had not been included in that genus at the time of its first publication, for at the present (Lisbon) Session (2nd Meeting, Conclusion 22(c)) the Commission had taken such a decision in the case of the genus *Satyrus* Latreille, 1810 (Order Lepidoptera).⁴

10. At the conclusion of the foregoing discussion, the International Commission agreed (Lisbon Session, 3rd Meeting, Conclusion 2)⁵ :—

⁴ The text of the decision in this case is given in full in 1943, *Bull. zool. Nomencl.* 1: 20–23. The *Opinion* later rendered to give effect to this decision is *Opinion 142*, for which see pp. 67–80 in Section A of the present volume.

⁵ Only those portions of Conclusion 2 which refer to the present case are here quoted. For the full text of Conclusion 2, see 1943, *Bull. zool. Nomencl.* 1: 27–30.

- (c) under "suspension of the rules" to set aside all type designations for the undermentioned genera and to declare their types to be the species indicated below:—

Name of genus	Type of genus
(33) <i>Sphex</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 569	<i>Sphex flavipennis</i> Fabricius, 1793, <i>Ent. syst.</i> 2 : 201
(34) <i>Ammophila</i> Kirby, 1798, <i>Trans. linn. Soc. Lond.</i> 4 : 199	<i>Sphex sabulosa</i> Linnaeus, 1758, <i>Syst. Nat.</i> (ed. 10) 1 : 569

- (d) under "suspension of the rules" to place on the *Official List of Generic Names* the sixteen generic names enumerated in (c) above (names 19) to (34)), each with the type species there indicated;
- (e) to render *Opinions* in the sense of (a) to (d) above.

II. The foregoing decisions were embodied in paragraph 27 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission unanimously agreed (Lisbon Session, 5th Meeting, Conclusion 6) to submit to the Twelfth International Congress of Zoology. In order to make perfectly clear to all the members of the Congress that (as explained in paragraph 9(i) above) the decision taken in the present case did not involve a reversal of the decision embodied in the Commission's *Opinion* 32, the Commission inserted the following "note" at the end of paragraph 27 of their report to the Congress:—

Note. With reference to the names *Sphex* Linn., and *Ammophila* Kirby referred to in paragraph (d) (15) and (16) above,⁶ it should be noted that the Commission have on a previous occasion (in *Opinion* 32) declared that the type of *Sphex* Linn. is *Sphex sabulosa* Linn. The Commission remain of the opinion that that species is the type of *Sphex* Linn. under the rules, but in view of the fact that the strict application of the rules in this case would cause greater confusion than uniformity, they have now agreed to suspend the rules in the manner shown above.

12. At the same meeting as that at which they adopted their report to the Twelfth International Congress of Zoology, the Commission agreed (Lisbon Session, 5th Meeting, Conclusion 10) that Commissioner Karl Jordan (*President of the Commission*) and the new Secretary to the Commission, when elected, should be authorised to make such arrangements and to take such other action, as might appear to them to be necessary or expedient:—

- (i) to establish the Secretariat of the Commission at its new headquarters;
- (ii) to secure the due publication of the *Opinions* agreed upon from time to time by the Commission;

⁶ The references given in this "note" are to the sub-paragraphs into which paragraph 27 of the Lisbon Report was divided. For the full text of that paragraph, see 1943, *Bull. zool. Nomencl.* 1 : 59-60.

- (iii) to give effect to the decisions reached by the Commission at their Lisbon Session;
- (iv) to obtain the finance required for the due functioning of the Commission; and generally
- (v) to secure the effective continuance of the work of the Commission.

13. The report adopted by the Commission on the morning of Wednesday, 18th September 1935, was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology, by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

14. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 8 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, the Commission have received three communications objecting to the suspension of the rules in this case. The terms of these communications are as follows:—

- (a) *Document forwarded under cover of a letter dated 1st March 1937 by Dr. S. A. Rohwer in the name of the Committee on Nomenclature of the Entomological Society of Washington*

The first valid type fixation for *Sphex* Linn. is that by Fernald, 1905, who named *S. sabulosa* Linn. as type. The prior designation of *Pepsis flavipennis* Fabr. by Latreille, 1810, was invalid since that species was not originally included. *Anmophila* Kirby also has for its type *S. sabulosa* Linn., by designation of Latreille, 1810, and is therefore, under the Rules, a synonym of *Sphex* Linn. Fernald's type designation for *Sphex* was upheld by the Commission in *Opinion* 32,⁷ which states "Unless it can be shown that some other species has been validly designated at an earlier date, the designation of *sabulosa* by Fernald, 1905, is not subject to change." With the support of this *Opinion* workers in different parts of the world

⁷ For a definition of the scope of *Opinion* 32, see paragraphs 9(i) and 11 of the present *Opinion*.

(G. Arnold,⁸ S. Africa; R. E. Turner, England; J. Bequaert,⁸ United States, and F. X. Williams,⁸ Hawaii) have followed Fernald. Now, however, it is proposed that the Commission reverse⁹ its action of thirty years ago, and under suspension of the Rules, place on the *Official List of Generic Names Sphex* Linn., 1758, naming as type *Sphex flavipennis* Fabr., a species described twenty-nine years after the genus was established.

We feel strongly that any possible temporary inconvenience resulting from the recognition of *Sphex* with *sabulosa* as type cannot justify such extreme action. If a previously rendered *Opinion* should be reversed¹⁰ with no more justification than the satisfaction of certain irreconcilable opponents any approach to stability in nomenclature would appear impossible.

(b) *Letter dated 28th March 1937 received from Dr. Charles D. Michener, Berkeley, California*

I wish to say that it seems to me the suggested use of *Sphex* and *Ammophila* (Hymenoptera) is not desirable. This was the usage prior to 1905; had the rules been suspended then,¹¹ much confusion would have been avoided. However, the change was made (Fernald, *Ent. News*, June 1905, and *Proc. U.S.N.M.*, 1906, 31 : 294) and has been accepted, so that for over thirty years, *Chlorion* and *Sphex* have been in use instead of *Sphex* and *Ammophila*. To return to the latter pair would be only to repeat confusion. Since *Chlorion* and *Sphex* are in general use, and are correct from a standpoint of priority, it seems that they should be used.

(c) *Letter dated 12th April 1937 from Dr. H. T. Fernald, Orlando, Florida*

I must strongly oppose the proposed suspension of the Rules and the insertion in the *Official List*, of the last two items under the heading "Hymenoptera" as stated in the "Notice of possible suspension of the Rules of Nomenclature in certain cases," dated May 1st 1936 and published in "*Science*" June 5, 1936; viz., suspend the rules and insert in the *Official List* with the types as given in parentheses: "*Sphex* Linn., 1758 (*Sphex flavipennis* Fabr., 1793); *Ammophila* Kirby, 1798 (*Sphex sabulosa* Linn., 1758)."

These two genera are so related that action on one will necessarily involve corresponding action on the other.

The genus *Ammophila* established by Kirby in 1798 included four species. Three of these have been removed (quite properly) to another genus, leaving species No. 1, *sabulosa*, as the genotype by elimination.¹² No one has published this, however.

⁸ It will be seen from paragraph 2 of the present *Opinion* that this author's name is one of those included in the list of signatories of the petition submitted to the International Commission for the suspension of the rules in this case.

⁹ This statement is incorrect. It will be seen from paragraph 3(b) of the present *Opinion* that this application does not seek to set aside *Opinion* 32 and from paragraph 11 that its acceptance by the Commission does involve that consequence.

¹⁰ See footnote 9.

¹¹ For the reasons explained in paragraph 5 of the present *Opinion*, such action by the International Commission was not within their powers at the date in question.

¹² Genotypes cannot be fixed by elimination under Article 30 of the Code. In Article 30, there is no mandatory provision relating to "elimination," which is cited only as the 4th of 13 criteria which authors are "recommended" to follow when themselves selecting types under rule (g) in that Article.

The genus *Sphex* established by Linné, 1758, has had its type fixed by subsequent designation and this designation was approved¹³ by the International Commission (*Opinion* 32). The genotype designated was *sabulosa*, the same species as remains in *Ammophila* as its genotype, as shown above.

The designation of *sabulosa* as the genotype of *Sphex* was made in accordance with Article 30 as revised by the Seventh Congress, as follows :

I. Does not apply to this case.

II. (e) Species to be excluded.

(a) Species not included under the generic name when this was first published. *Sabulosa* was included.

(β) Species inquirendae. *Sabulosa* was not such a species.

(γ) Species doubtfully referred to the genus. Not true for *sabulosa*.

(f) Does not apply.

(g) Fixation of a type by subsequent designation, "such designation is not subject to subsequent change." Type by subsequent designation—*sabulosa*—designated in 1905.

III. Recommendations

(h) With Linnaean genera, select the most common or medicinal species. No medicinal species. *Sabulosa* the most common, with 115 references in Dalla Torre's *Catalogus* by far the largest.

(i) Not applicable.

(j) *sabulosa* is not exotic from the standpoint of the author of the genus.

(k) Not applicable as all the species known to have been transferred. To take back the last one transferred (*pectinipes*) would either make the present family LARRIDAE become SPHECIDAE and cause great confusion involving over 1000 species, or else extinguish SPHECIDAE altogether, making it a subfamily of the LARRIDAE.

(l) Not applicable.

(m) None of the species are named *communis*, *vulgaris*, *medicinalis* or *officinalis*.

(n) *sabulosa* is the best known and most easily obtainable of the species.

(o) Not applicable.

(p) Not applicable.

(q) Original description of genus and species published together.

(r) Not applicable.

(s) If the type were to be selected by the "first species" rule, No. 1 (*argillacea*) would be the type. This species has not been recognized. If taken it would throw out SPHECIDAE, SPHECINAE, SPHECINI, and *Sphex* from any use whatever until *argillacea* has been rediscovered. If No. 2 be taken under these circumstances, it is *sabulosa*.

(t) *sabulosa* as species No. 2 has page precedence except for *argillacea*.

Fabricius in his *Systema Piezatorum*, 1804,¹⁴ places in *Sphex* the Linnaean *sabulosa* and adds three other of his own species. This indicates that he

¹³ The question asked and answered in *Opinion* 32 was not what species should be approved as the type of *Sphex* Linnaeus but what species was in fact the type of that genus under the Code. See paragraphs 9(i) and 11 of the present *Opinion*.

¹⁴ The correct date of this work is [1804-1805]. See Griffin, 1935, in Richards, *Trans. R. ent. Soc. Lond.* 83 : 144. The date should be cited in square brackets, since it is only ascertainable from external sources.

saw the confusion in the species placed under *Sphex* and purified it by putting *sabulosa* as the Linnean species typical of the genus.

From this analysis of the situation *sabulosa* was selected as the genotype of *Sphex* and this selection was approved¹⁵ by *Opinion* 32 of the International Commission.

Accordingly *sabulosa* is now the type of *Sphex* and also of *Ammophila*.

The proposal before the Commission is to replace Linné's genus *Sphex*, 1758, by Kirby's genus *Ammophila*, 1798. The reasons for this proposal have not been made public.

If this change were made and the other proposal also approved, *Sphex* would become a genus containing none of the original species of Linné which are not exotic from his standpoint, with the possible exception of *colon*, *gibba*, *ignita*, *aurata*, and *cyanea* which are not given in Dalla Torre's *Catalogus*, Vol. VIII. If given in other volumes (not accessible to me) they would evidently have been transferred to other genera and hence would not be available for genotypic consideration.¹⁶

The proposal to make *flavipennis* Fabr., 1793, the genotype of *Sphex* would result in a Linnaean genus with a Fabrician genotype! Certainly this would be a somewhat unusual procedure.¹⁷

Sphex as it is now placed has been widely accepted and adopted since the designation of *sabulosa* as its type. To reverse¹⁸ this now would mean introducing more confusion to what is now becoming well settled and with many papers, large and small, treating of these insects as they now stand.

For the above reasons, based on the establishment of the genotypes of *Sphex* and *Ammophila* as outlined above, I must oppose the proposal to shift the names of these genera.

15. Immediately upon their receipt by the Commission, copies of the documents quoted in paragraph 14 above were communicated (April 1936) to each member of the Commission, but since that date no member of the Commission has expressed himself as being in agreement with the representations contained therein.

16. The representations set out in paragraph 14 above were considered at the Plenary Conference between the President of the Commission and the Secretary to the Commission convened in London on 19th June 1939 under the authority of the Resolution adopted by the Commission at their meeting held at Lisbon on 18th September 1935 (for the text of which see paragraph 12 above). The Plenary Conference (Plenary Conference, 1st Meeting, Conclusion 9)¹⁹ :—

.....
(b) examined the communications that had been received during the prescribed period in regard to the undermentioned genera :—
.....

¹⁵ This is not what the Commission did or were asked to do. See footnote 13.

¹⁶ For a note on the limited extent to which "elimination" is recognised under Article 30 of the Code, see footnote 12.

¹⁷ See paragraph 9(iii) of the present *Opinion*.

¹⁸ See footnote 9.

¹⁹ Only those portions of Conclusion 9 which relate to the present case are here quoted. For the full text of Conclusion 9, see 1943, *Bull. zool. Nomencl.* 1 : 76-77.

(ix) *Sphex* Linnaeus, 1758

(x) *Ammophila* Kirby, 1798

from the Committee on Nomenclature of the Entomological Society of Washington; from Charles D. Michener, Berkeley, California; and from H. T. Fernald, Orlando, Florida;

- (c) took note that, although copies of the communications referred to in (b) above had been transmitted to each member of the Commission immediately upon their receipt, no member of the Commission had expressed himself as being in agreement with any of the representations contained therein;
- (d) agreed that the communications referred to in (b) above brought forward no data and adduced no considerations that had not been before the International Commission on Zoological Nomenclature when at Lisbon in 1935 they approved the recommendations in favour of the suspension of the rules in these cases submitted to them by the International Committee on Entomological Nomenclature in resolutions adopted during the meeting of the Sixth International Congress of Entomology at Madrid in the same year.
- (e) agreed that, in view of (c) and (d) above, the proper course for the present Conference in the discharge of the duties entrusted to it by the International Commission on Zoological Nomenclature (Lisbon Session, 5th Meeting, Conclusion 10) was to give effect to the decisions in this matter reached by the International Commission at their Lisbon Session (3rd Meeting, Conclusion 2) and therefore that *Opinions* should be issued as soon as possible in the sense indicated in paragraph 27 of the report submitted by them to the Twelfth International Congress of Zoology and approved and adopted by that Congress at the Concilium Plenum held at Lisbon on 21st September 1935.

17. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

18. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

19. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion*:—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

20. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT
OPINION.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the said suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Eighty (*Opinion* 180) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twenty-fifth day of November, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). In order that the volume, when bound, may be of a convenient size for handling, it has been decided to divide volume 1 into a series of Sections, which will be continuously paged but will each be supplied with a title page and index. It is at present contemplated that the first of these Sections (Section A) will comprise *Declarations* 1-9 and *Opinions* 1-29, but no final decision can be taken until it is possible to estimate more closely than at present the number of pages required for a volume so composed. An announcement on this subject will be made as soon as possible.

Parts 1-21 (comprising *Declarations* 1-9 and *Opinions* 1-12) have now been published. Further Parts are in the press and will be published as soon as possible.

Volume 2. This volume will contain *Declarations* 10-12 and *Opinions* 134-181 and will thus be a complete record of all the decisions taken by the International Commission on Zoological Nomenclature at their meeting held at Lisbon in 1935. This volume will be published in two Sections, which will be continuously paged but will each be supplied with a title page and index.

Section A, comprising *Declarations* 10-12 and *Opinions* 134-160 (published in Parts 1-30 and 30 A), is now complete, price £4 4s. 0d. Individual Parts of this Section are also obtainable separately at the prices at which they were originally published.

Section B will comprise *Opinions* 161-181 (to be published in Parts 31-52). Parts 31-50 (containing *Opinions* 161-180) have now been published and it is hoped that Part 51 (*Opinion* 181) and Part 52 (index and title page) will be published shortly.

Volume 3. This volume, which commenced with *Opinion 182*, will contain the first instalment of the *Opinions* adopted by the International Commission since their Lisbon meeting. Parts I-II (containing *Opinions 182-192*) have now been published. Further Parts will be published as soon as possible.

Bulletin of Zoological Nomenclature.

This journal was established by the International Commission on Zoological Nomenclature in 1943 as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Parts 1-7 of volume 1 have now been published. Further Parts are in the press and will be published as soon as possible.

PRINTED IN GREAT BRITAIN BY
RICHARD CLAY AND COMPANY, LTD.,
BUNGAY, SUFFOLK.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 51. Pp. 589-612.

OPINION 181

On the type of the genus *Carcharodus* Hübner, [1819], and its synonym *Spilothyrus* Duponchel, 1835 (Class Insecta, Order Lepidoptera), genera based upon an erroneously determined species

LONDON:

Printed by Order of the International Commission on
Zoological Nomenclature
and

Sold on their behalf by the International Trust for Zoological
Nomenclature at the Publications Office of the Trust
41, Queen's Gate, London, S.W.7

1947

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OPINION 181.

ON THE TYPE OF THE GENUS *CARCHARODUS* HÜBNER, [1819], AND ITS SYNONYM *SPILOTHYRUS* DUPONCHEL, 1835 (CLASS INSECTA, ORDER LEPIDOPTERA), GENERA BASED UPON AN ERRONEOUSLY DETERMINED SPECIES.

SUMMARY.—Under suspension of the *Règles Papilio alcaeae* Esper, [1780], is hereby designated as the type of *Carcharodus* Hübner, [1819], and of its synonym *Spilothyrus* Duponchel, 1835 (Class Insecta, Order Lepidoptera).

I.—THE STATEMENT OF THE CASE.

In 1935 Commissioner Francis Hemming prepared for the consideration of the International Commission on Zoological Nomenclature a paper dealing with the interpretation of *Opinion* 65 relating to the determination of the types of genera based upon erroneously determined species, with special reference to certain genera in the Order Lepidoptera (Class Insecta). One of the genera in question was *Carcharodus* Hübner, [1819], and its synonym *Spilothyrus* Duponchel, 1835, in the family HESPERIIDAE.

2. The portion of the foregoing paper relating to this genus reads as follows¹ :—

(6) *CARCHARODUS* HÜBNER, [1819],² AND *SPILOTHYRUS* DUPONCHEL, 1835

(A) *Carcharodus* Hübner, [1819]

Hübner, [1819], *Verz. bekannt. Schmett.* (7) : 110
Plötz, 1879, *Ent. Ztg.*, Stettin 40 : 179

68. Hübner placed in this genus three closely allied species (nos. 1189–1191). He gave a short description of the genus so established, but he

¹ The text of the first part of this paper relating to the interpretation of *Opinion* 65 is quoted in full in *Opinion* 168 (pp. 411–430 above). The portions of the second part relating to the types of the other genera discussed are quoted in *Opinions* 169 (pp. 431–442) (*Lycaeides* Hübner), 173 (pp. 483–494 above) (*Agriades* Hübner), 175 (pp. 509–520 above) (*Polyommatus* Latreille), 177 (pp. 533–544 above) (*Euchloë* Hübner), and 179 (pp. 557–568 above) (*Princeps* Hübner).

² At the time when the paper from which this is an extract was written, it was thought (Hemming, 1934, *Gen. Names hol. Butt.* 1 : 16–17) that pp. 65–240 of Hübner's *Verz. bekannt. Schmett.* were published in 1823. That date was accordingly assigned to the present name. The examination of Hübner's surviving manuscripts has since shown that the correct date is 1819 (see Hemming, 1937, *Hübner* 1 : 517 and also *Opinion* 150 (pp. 161–168 in (Section A of) the present volume). This correction has accordingly been made, wherever necessary, in the extract from Commissioner Hemming's application quoted in the present paragraph.

specified no type. The first of the included species to be selected as the type of this genus was species no. 1191, i.e. the species which Hübner called *Carcharodus malvae* Schiffermüller, when in 1879 that species under the name *Papilio alceae* Esper was so selected by Plötz.

69. Hübner's entry for this species in the *Verzeichniss* was as follows :—

1191. C. Malvae Schiff. Verz. Pap. A. 1. Hübner. Pap. 450. 451. Alceae Esp. Pap. 51. 3.

70. There is no doubt whatever regarding the species to which Hübner intended to refer when making the above entry for species no. 1191 in his *Verzeichniss*. Beyond possibility of question it was the "Common Mallow Skipper" now universally attributed to the genus *Carcharodus* Hübner. This is proved by the fact that Hübner gave for this species two references which unquestionably apply to the "Mallow Skipper," namely his own figures of that species under the name *Papilio malvae* (Hübner, [1800-1803],³ *Samml. europ. Schmett.* : pl. Pap. 90 figs. 450-451) and the figure published by Esper under the name *Papilio alceae* (Esper, [1780], *Die Schmett.* 1 (Bd. 2) *Forts. Tagschmett.* : 4 pl. 51 fig. 3♀).

71. There remains the first of the references cited by Hübner in the *Verzeichniss*, namely the name *Papilio malvae* as used in the so-called Vienna Catalogue first published in 1775 and re-issued in a larger edition (under a slightly different title) in the following year. At that time even the common species of European HESPERIIDAE were very imperfectly understood and for some time thereafter authors commonly associated several allied species as "varieties" of some mythical polymorphous species. Denis and Schiffermüller were, as is well known, particularly interested in the larval stages of the Order Lepidoptera and it may therefore certainly be concluded that they assumed that they included the "Common Mallow Skipper" in the species to which they applied the name *Papilio malvae*, though they appear to have included that species also under the new name *Papilio fritillum* [Denis & Schiffermüller], 1775 (*Schmett. Wien* : 159 no. A. 3).⁴ It is certain in any case that Hübner considered that Denis and Schiffermüller had applied the name *Papilio malvae* to the "Common Mallow Skipper."

³ The date here assigned to pl. *Pap.* 90 of Hübner's *Samml. europ. Schmett.* has been corrected for reasons similar to those explained in footnote 2. (See Hemming, 1937, *Hübner* 1 : 229.)

⁴ In July 1942 Commissioner Hemming furnished the following supplementary note :—

Supplementary note on the identity of Papilio fritillum [Denis & Schiffermüller], 1775, and Papilio fritillarius Poda, 1761.

Within the last twelve months, the problem of the identity of *Papilio fritillum* [Denis & Schiffermüller], 1775 (*Schmett. Wien* : 159 no. A. 3) and of *Papilio fritillarius* Poda, 1761 (*Ins. Mus. graec.* : 79 no. 53) (which are undoubtedly only different names for the same species) has been re-examined independently by myself and by Brigadier W. H. Evans, the well-known authority on the family HESPERIIDAE.

We are agreed that these names do not apply (as I had previously thought) to the "Common Mallow Skipper" (i.e. to *Papilio alceae* Esper, [1780]), but are names for the mallow-feeding species of the genus *Pyrgus* Hübner, [1819] (*Verz. bekannt. Schmett.* (7) : 109), commonly known as *Pyrgus carthami* (Hübner, [1808-1813]). The synonymy of the latter species is therefore now seen to be as follows :—

Pyrgus fritillarius (Poda, 1761)

Papilio fritillarius Poda, 1761, *Ins. Mus. graec.* : 79 no. 53 "Graz."
Papilio fritillum [Denis & Schiffermüller], 1775, *Schmett. Wien* : 159 no. A. 3 "Wien."
Papilio carthami Hübner, [1808-1813], *Samml. europ. Schmett.* : pl. Pap. 143, figs. 720♂, 723♂ (nec figs. 721-722) (no locality cited).

A fuller note setting out in detail the synonymy of the various species involved has since been published by Commissioner Hemming (1943, *Bull. zool. Nomencl.* 1 : 68-69). See also footnote 24.

72. What it is important at this stage to note is that Denis and Schiffermüller were not—and did not claim to be—the authors of the name *Papilio malvae*. They made it quite clear that they were using the name *Papilio malvae* Linnaeus, 1758. It is therefore necessary now to consider what was the species so named by Linnaeus (1758, *Syst. Nat.* (ed. 10) 1 : 485 no. 167). Many authors in the 18th century identified this species with the “Common Mallow Skipper,” though as early as 1780 Esper had taken the opposite view and had given the name *Papilio alceae* to the “Common Mallow Skipper,” which he regarded as being still without an available name. Esper’s action was endorsed by Fabricius and the Italian de Prunner, but the name *Papilio alceae* Esper did not at that time come into general use. At the beginning of the 19th century Hoffmannsegg (1804, *Mag. f. Insektenk.* (Illiger) 3 : 198), ignoring Esper’s *alceae*, gave the name *Papilio malvarum* to the “Common Mallow Skipper,” basing that name upon the figures (figs. 450, 451) published by Hübner as *Papilio malvae*. In spite of the action of Esper and Hoffmannsegg, the name *Papilio malvae* Linnaeus continued for some time to be commonly applied to the “Common Mallow Skipper,” especially in France, where such leading authors as Godart, Duponchel and Boisduval continued to use this name in this sense as late as the fourth decade of the century. Not long after this, however, Wallengren (1853, *Lep. Rhop. scand.* : 275) advanced powerful arguments to show that the true *Papilio malvae* Linnaeus, 1758, was the small species of the genus *Pyrgus* Hübner, [1819], which Hübner ([1800–1803], *Samml. europ. Schmett.* : pl. *Pap.* 92 figs. 466–467) had figured as *Papilio alveolus*, i.e. the species which occurs in England and is there known as the “Grizzled Skipper.”⁵ In 1861, this identification of *Papilio malvae* Linnaeus, 1758, was accepted by Staudinger (1861, in Staudinger & Wocke, *Cat. Lep. Europa’s* (1) : 15) and in 1871 this view was endorsed by Kirby (1871, *Syn. Cat. diurn. Lep.* : 614). These two works exercised a tremendous influence on students of the Sub-Order Rhopalocera and since their appearance no one has questioned the accuracy of the identification of *Papilio malvae* Linnaeus, 1758, with the English “Grizzled Skipper.”

73. In a matter of this kind, however, it is necessary to go back to the original sources in order to make sure that no error has been made. I myself therefore re-examined this question when preparing my *Generic Names of the holarctic Butterflies* in connection with the genus *Pyrgus* Hübner, [1819], of which *Papilio malvae* Linnaeus, 1758, is the type (Hemming, 1934, *Gen. Names hol. Butt.* 1 : 165). After the most careful study of the Linnean descriptions, the references cited by Linnaeus for this species and the other available evidence bearing on this subject, I came to the conclusion that there was no doubt in the matter at all and that the “Grizzled Skipper” of British entomologists was certainly the species to which Linnaeus applied the name *Papilio malvae* in 1758. I have since prepared a summary of the evidence which led me to this conclusion and I attach it to the present paper as Appendix 2.⁶

⁵ For the most complete and profusely illustrated modern account of the species referred to here (and throughout the present application and its annexed Appendix) as the “Grizzled Skipper”, see Warren (B. C. S.), “Monograph of the Tribe HESPERIIDI (European species) with revised classification of the subfamily HESPERIINAE (Palearctic species) based on the genital armature of the males” (1926, *Trans. ent. Soc. Lond.* 74 (1) : 72–78, pl. 24, figs. 1, 3–6, 8–11 ♂♂, 7♀, pl. 25 fig. 1 (♂ genitalia)).

⁶ Appendix 1 to the paper from which the above paper is an extract contained examples of genera based upon erroneously determined species. The classes of case so illustrated are enumerated in paragraph 13 of the paper referred to above, which is quoted in the “statement of the case” given in *Opinion* 168 (see page 416 above).

74. The position is, therefore, that both Denis and Schiffermüller in 1775 and Hübner in 1819 made an error of identification when they identified *Papilio malvae* Linnaeus, 1758, with the "Common Mallow Skipper" (= *Papilio alceae* Esper). This error is most unfortunate since it means that the genus *Carcharodus* Hübner, [1819], of which (as shown in paragraph 68 above) *Papilio malvae* Linnaeus, Denis & Schiffermüller, is the type, is a genus based upon an erroneously determined species. If in this case the preliminary assumption enjoined by *Opinion* 65 (namely that Hübner correctly identified the species placed by him in the genus *Carcharodus* at the time when he founded that genus) were to be maintained in the teeth of the evidence to the contrary, the result would be as follows:—

- (i) the type of *Carcharodus* Hübner, [1819], would become the true *Papilio malvae* Linnaeus, 1758, i.e. the species of the genus *Pyrgus* Hübner, [1819], known to British entomologists as the "Grizzled Skipper," notwithstanding the fact:—
 - (a) that the true *Papilio malvae* Linnaeus, 1758, was not included by Hübner in the genus *Carcharodus* Hübner, [1819], but was placed by that author in the genus *Pyrgus* Hübner, [1819] (on p. 109 the page immediately preceding that on which the name *Carcharodus* was printed), where it appeared as species no. 1176 under the name *Pyrgus alveolus* Hübner;
 - (b) that, in selecting the type of the genus *Carcharodus* Hübner, Plötz, by using the specific trivial name *alceae* Esper (cited by Hübner as a synonym of "*C. malvae* Schiff."), indicated in the clearest possible way that he intended the type of this genus to be the "Common Mallow Skipper" and not the "Grizzled Skipper" (= the true *Papilio malvae* Linnaeus, 1758);
- (ii) the generic name *Carcharodus* Hübner, [1819], and also the generic name *Spilothyrsus* Duponchel, 1835 (see paragraph 77 below) would become objective synonyms of the generic name *Pyrgus* Hübner, [1819], since the true *Papilio malvae* Linnaeus, 1758, is the type of the last-named genus (Hemming, 1934, *Gen. Names hol. Butt.* 1:165), while the false *Papilio malvae* Linnaeus, 1758, i.e. the species misidentified by Denis and Schiffermüller and by Hübner, is the type of the two first-named genera;
- (iii) *Papilio alceae* Esper, [1780], and its allies, which for over a hundred years have been referred to the genus *Carcharodus* Hübner, [1819] (except by those relatively few authors who have used the name *Spilothyrsus* Duponchel, 1835), would need to be attributed to the genus *Reverdinus* Ragusa, 1919 (*Nat. sicil.* 23 (7/12): 172), of which *Papilio altheae* Hübner, [1800–1803]⁷ (*Samml. europ. Schmett.*: pl. *Pap.* 90 figs. 452–453♀♀) is the type, having been so selected by Lindsey in 1925 (*Ann. ent. Soc. Amer.* 18: 100).

75. The consequences described above would be an absurdly heavy price to pay for the privilege of maintaining the admittedly erroneous assumption that Hübner correctly identified the species placed by him in the genus *Carcharodus* Hübner. This is, therefore, a clear case where the preliminary assumption enjoined in *Opinion* 65 should be discarded and the second part of that *Opinion* should come into play, that is to say, the case of the generic name *Carcharodus* Hübner, [1819], should be submitted, with full details, to the International Commission on Zoological Nomenclature for decision.

76. I accordingly recommend that the International Commission on Zoological Nomenclature should render an *Opinion* under their plenary powers declaring that the type of *Carcharodus* Hübner, [1819], is the

⁷ For the date assigned to Hübner's pl. *Pap.* 90, see footnote 3.

species referred to in this paper as the "Common Mallow Skipper" (= *Papilio alceae* Esper, [1780]) and not the "Grizzled Skipper" (= the true *Papilio malvae* Linnaeus, 1758). As stated elsewhere (1932, *Trans. ent. Soc. Lond.* 80 : 293-294), I consider that the oldest available name for the "Common Mallow Skipper" is *Papilio fritillarius* Poda, 1761.⁸

(B) *Spilothyrsus* Duponchel, 1835

Duponchel, 1835, in Godart, *Hist. nat. Lépid. France Suppl.* 1 (*Diurnes*) : 415
Watson, 1893, *Proc. zool. Soc. Lond.* 1893 : 67

77. Duponchel placed in this genus (on page 416) three species, namely (i) what he regarded as *Papilio malvae* Linnaeus, (ii) *Papilio altheae* Hübner, and (iii) *Papilio lavatherae* Esper (which he misspelt *lavaterae*). These are the same three species as those which Hübner included in the genus *Carcharodus* Hübner, [1819] (paragraph 68 above), if it is assumed that Duponchel identified *Papilio malvae* Linnaeus in the same way as Hübner did in the *Verzeichniss*. That this assumption is correct is immediately evident from an inspection of Duponchel's book, (a) because that book is no more than a supplement to that of Godart in which the "Common Mallow Skipper" and not the "Grizzled Skipper" was identified as *Papilio malvae* Linnaeus, 1758, and (b) because Duponchel (on page 415) placed the "Grizzled Skipper," under the specific trivial name *alveolus* Hübner (paragraph 72 above), in the genus *Syrichthus* Boisduval, 1834.

78. From the three species placed in the genus *Spilothyrsus* by Duponchel, Watson selected the first as the type. In doing so, Watson indicated in the clearest way the species which he intended should be the type of this genus, for he used for this purpose the name *Papilio alceae* Esper.

79. In these circumstances it is evident that whatever decision is taken in regard to the generic name *Carcharodus* Hübner, [1819], must govern also the generic name *Spilothyrsus* Duponchel, 1835. I accordingly ask the International Commission on Zoological Nomenclature to include in the proposed *Opinion* a declaration that the "Common Mallow Skipper" and not the "Grizzled Skipper" is the type of *Spilothyrsus* Duponchel, 1835. That genus will thereupon become *de jure* what it has always been treated as being since Watson's selection of *Papilio alceae* Esper, [1780] as the type, namely an objective synonym of *Carcharodus* Hübner, [1819].

APPENDIX 2⁹

On the identity of *Papilio malvae* Linnaeus, 1758

By Francis Hemming, C.B.E.

(a) *Introductory*

Papilio malvae Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 485 no. 167) is now accepted by all authors as being the small species of the genus *Pyrgus* Hübner, [1819] (*Verz. bekannt. Schmett.* (7) : 109) which occurs in England and is there known as the "Grizzled Skipper" (e.g. the species described and figured under the name *Hesperia malvae* (Linnaeus) by South, 1906, *Bull. Brit. Isles* : 184-186 pl. 122 figs. 1-3, 7♂♂, 4-6, 8♀♀).

2. This identification of *Papilio malvae* Linnaeus, 1758, has been universally accepted by all authors at least since 1861 (Staudinger, 1861, in Staudinger & Wocke, *Cat. Lep. Europa's* (1) : 15). In the earlier part of

⁸ This question has since been re-examined by Commissioner Hemming, who has furnished the supplementary note reproduced in footnote 4. A more extended note showing that the oldest available name for the species referred to here as the "Common Mallow Skipper" is *Papilio alceae* Esper, [1780], and not *Papilio fritillarius* Poda, 1761, has been published by Commissioner Hemming, in 1943, *Bull. zool. Nomencl.* 1 : 68-69.

⁹ For a note regarding the document which formed Appendix 1 to the paper from which the above is an extract, see footnote 5.

the 19th century, however, the name *Papilio malvae* Linnaeus, 1758, was identified with the species now usually known as *Carcharodus alceae* (Esper, [1780]) by such leading French authors as Duponchel (1844, *Lat. méth. Lépid. Europe* : 37), Boisduval (1829, *Europ. Lépid. Index méth.* : 26 and 1840, *Genera Index méth. europ. Lépid.* : 35) and Godart (1820, *Lépid. France* 1 : 243; 1823, *Table méth. Lépid. France* : 64; and [1824] *Ency. méth.* 9 (2) (Ins.) : 779). In the second half of the 18th century (when even the common European species of the family HESPERIIDAE were very little understood) this name was widely used for *C. alceae* (Esper) by many German authors.

3. The problem of the type of the genus *Carcharodus* Hübner, [1819] (*Verz. bekannt. Schmett.* (7) : 110) turns on the identity of *Papilio malvae* Linnaeus, 1758, and I have thought it desirable, in submitting proposals in regard to that generic name to the International Commission on Zoological Nomenclature, to summarise in the present note the available evidence in regard to this subject.

(b) *The original description of Papilio malvae Linnaeus, 1758*

4. The description given by Linnaeus in 1758 for *Papilio malvae* is as follows:—

Papilio Plebejus [*printed at the top of the page*]

Malvae. 167. P. P. alis denticulatis divaricatis nigris albo maculatis.

Fn. svec. 749. *It. oel.* 3.

Pet. gaz. t. 36. f. 6.

Merian. eur. i. t. 48.

Reaum. ins. i. t. 11. f. 6. 7.

Habitat in Malva, Althaea.

Roes. ins. i. pap. 2. t. 10

Wilk. pap. 54. t. 2. c. 1.

(c) *General considerations bearing on the identification of Linnean species*

5. Before attempting to interpret Linnaeus's description of *Papilio malvae*, it is necessary to recall the following important considerations which must always be borne in mind when interpreting descriptions in Linnaeus's systematic works:—

- (a) So far as possible Linnaeus always based his descriptions upon actual specimens and on the few occasions when he was unable to do so, he was careful to indicate the fact by placing a cross sign (called by Linnaeus "Signum Crucis") at the end of the description. An example is provided in the 10th edition of the *Syst. Nat.* in the butterflies by the description of *Papilio nestor* (: 463 no. 30). Linnaeus's own description of this convention reads as follows (*Syst. Nat.* (ed. 12) 1 (2) : 1019 *nota*) :—

Signo Crucis ubique notavimus animalia nobis nec viva, nec in museis asserata visa, ut Naturae consulti ad ea attentius examinanda incitentur.

- (b) Linnaeus underlined in ink in his copy of the 12th edition of the *Syst. Nat.* the serial number allotted to each species of which he possessed a specimen in his own collection (Verity, 1913, *J. linn. Soc. Lond.* (Zool.) 32 : 174). It is thus possible, when examining the Linnean collection, to ascertain as regards any given species whether Linnaeus possessed a specimen and therefore whether a Linnean specimen should be looked for in that collection.
- (c) Whenever Linnaeus had himself published a description of a given species in one of his pre-binomial works (i.e. in any of his works published prior to 1758), he gave a reference to that work in the 10th edition of the *Syst. Nat.* Such references were invariably placed by Linnaeus immediately after the conclusion of the description. These references were often printed on the same line as the last words of the description; where this was not done, they were invariably printed before, and on a higher line than, references to works by

other authors. Linnaeus clearly intended to indicate by this means that he attached a special degree of importance to these references to his own works. Their importance lies in the fact that they are first-hand references to works written by himself and refer, in the case of Swedish species, to species known to himself and in many cases to species collected by himself. The possibility of misidentifications in such cases is thus reduced to the minimum. Unlike the references discussed in (d) below, these references by Linnaeus to his own works must therefore be regarded as "primary references."

- (d) The references given by Linnaeus in the 10th edition of the *Syst. Nat.* below the "primary references" (if any) are references to plates in works published by other authors prior to 1758, representing, as Linnaeus believed, the species described and named by Linnaeus in that work. Not infrequently, however, the plates so cited represent some species other than that intended by Linnaeus. These errors may sometimes have been due to genuine mistakes on the part of Linnaeus, but some were due to an entirely different cause and one which has been frequently overlooked, namely the fact that some at least of these references were taken by Linnaeus at second-hand from notes communicated to him by correspondents who had access to works (or to parts of works) that were not available to Linnaeus himself. Linnaeus made no secret of his practice of citing references which he had not been able himself to verify and in the 1st edition of the *Fauna svecica* (1746) (last page of the *Ratio Operis*) he expressly invited readers to furnish him with such references from the works of Reaumur, Rajus, Frisch, etc. The passage in question reads: "Qui synonyma plura ex Reaumurii, Raji, Frischii, &c. scriptis mihi communicaverit, rem faciet multo mihi acceptissimam."

Such "secondary references" to the works of other authors stand therefore in a very different position from the "primary references" discussed in (c) above. They are useful in many ways and should be studied with care; they should however be accepted with reserve and, where errors of identification are found in these "secondary references," those errors taken by themselves provide no ground for assuming that Linnaeus himself was guilty of having misidentified a species or of having confused two different species together. Such errors may just as well have been made by some correspondent who had forwarded the reference to Linnaeus, by whom through force of circumstances it had been accepted second-hand without verification.

- (e) In the 10th edition of the *Syst. Nat.* Linnaeus usually cited "secondary references" in double columns. It has been usual to interpret these references as though those in the left-hand column were the 1st, 3rd, 5th, etc., references in the list and those in the right-hand column the 2nd, 4th, 6th, etc., references. A careful comparison of the "secondary references" cited by Linnaeus for a given species (i) in the 10th edition of the *Syst. Nat.*, where these references are in double column, and (ii) in the 12th edition, where they are in a single column, shows, however, that Linnaeus regarded the references in the left-hand column as all preceding those in the right-hand column.

- (d) *Analysis of the references cited by Linnaeus in his original description of Papilio malvae Linnaeus, 1758*

6. In the light of the general considerations indicated in paragraph 5 (c) to (e) above, the references cited by Linnaeus in his original description of *Papilio malvae* Linnaeus, 1758, are seen to be the following:—

(A) "Primary references"

- (1) *Fn. svec.* 749 [a misprint for 794].
- (2) *It. oel.* 3.

(B) "Secondary references"

- (1) *Pet. gaz. t. 36. f. 6.*
- (2) *Merian. eur. 1. t. 48.*
- (3) *Reaum. ins. 1. t. 11. f. 6. 7.*
- (4) *Roes. ins. 1. pap. 2. t. 10.*
- (5) *Wilk. pap. 54. t. 2. c. 1.*

(e) "Primary references" cited by Linnaeus in his original description of *Papilio malvae* Linnaeus, 1758

7. The citation of the 1st edition of the *Fauna svecica* as a "primary reference" shows that the species which Linnaeus was describing was a species known to him as occurring in Sweden.

8. The "primary reference" "*It. oel.*" is an abbreviation of "*Iter oelandicum.*" the latinised title of the work published by Linnaeus in Swedish in 1745 under the title "Öländska och Gothländska Resa på Rikstens högloflige ständers befallning förrättad åhr 1741." This work contains an account of the journey to Öland, Gotland and other places in Southern Sweden undertaken by Linnaeus in 1741 at the request of the Swedish Government. This journey was started from Stockholm on 15th May (Old Style) 1741; on the same day the party crossed into the Province of Södermanland. On the following day, 16th May (O.S.) 1741, the party did some collecting at Trosa and it was here that they captured the butterfly to which 17 years later Linnaeus gave the name *Papilio malvae*.

9. Both these "primary references" clearly establish that the insect which in 1758 Linnaeus described as *Papilio malvae* was an insect taken in Sweden.

(f) "Secondary references" cited by Linnaeus in his original description of *Papilio malvae* Linnaeus, 1758

10. *Petiver.* The figure cited represents the "Grizzled Skipper," i.e. the small species of the genus *Pyrgus* Hübner, [1819], now universally identified as *Papilio malvae* Linnaeus, 1758 (see paragraph 1 above).

11. *Merian.* The plate represents the species commonly known as *Carcharodus alceae* (Esper, [1780]).¹⁰

12. *Reaumur.* The figures cited represent *Carcharodus alceae* (Esper, [1780]).

13. *Rösel.* Linnaeus cited plate 10 without giving any figure references and it must therefore be assumed that he treated all the figures on that plate as referring to this species. Two species are represented on this plate. Apart from figures 1 and 2, which represent larvae, and figures 3 and 4, which represent pupae, figures 5 and 6 represent *Carcharodus alceae*

¹⁰ When this paper was originally written, this species (the "Common Mallow Skipper") was referred to at this point by Commissioner Hemming as *Papilio fritillarius* Poda, 1761. As explained in footnote 8, it has now been shown that the above identification was incorrect and that the oldest available name for this species is *Papilio alceae* Esper, [1780]. At the same time Commissioner Hemming has shown that the name *Papilio fritillarius* Poda, 1761, is the oldest available name for the species previously known as *Pyrgus carthami* Hübner, [1808-1813]. In order to avoid further confusion in the use of these names, the name *Carcharodus alceae* (Esper, [1780]) has been substituted here and elsewhere in the "statement of the case" for the name *Carcharodus fritillarius* (Poda, 1761) previously erroneously applied to this species. Similarly, the name *Pyrgus fritillarius* (Poda, 1761) has been substituted for *Pyrgus carthami* (Hübner, [1808-1813]), wherever the latter name appeared in the "statement of the case" as the name for the "Mallow Pyrgus."

(Esper, [1780]), and figure 7 represents *Pyrgus fritillarius* (Poda, 1761), i.e. the species commonly known as *Pyrgus carthami* (Hübner, [1808-1813]).¹¹

14. *Wilkes*. Wilkes merely copied Rösel's figures of *C. alceae* (Esper, [1780]) and *P. fritillarius* (Poda, 1761) (= *P. carthami* (Hübner, [1808-1813])); both are referred to on page 54 of his work (the page referred to by Linnaeus), the former as No. 1, the latter as No. 2.

15. Of the five "secondary references" discussed above, no. (5) (Wilkes) may be ignored as it is nothing but a direct copy from no. (4) (Rösel). As regards the remainder, the position is seen to be as follows:—

- (i) reference no. (1) (Petiver) is to the "Grizzled Skipper," i.e. to the species now universally identified as *Papilio malvae* Linnaeus, 1758 (see paragraph 1 above);
 - (ii) references nos. (2) (Merian), (3) (Reaumur), and part of (4) (Rösel) are to the "Common Mallow Skipper," i.e. to the species commonly known as *Carcharodus alceae* (Esper, [1780]).¹²
 - (iii) part of reference no. (4) (Rösel) is to the "Mallow Pyrgus," i.e. to the species now commonly known as *Pyrgus carthami* (Hübner, [1808-1813]).¹³
- (g) *Evidence afforded by the Linnean diagnoses and descriptions of Papilio malvae Linnaeus, 1758*

16. The earliest diagnosis for this species published by Linnaeus is that which appeared in 1745 in his *Oländska och Göthlandska Resa* ("primary reference no. (2) (see paragraph 8 above). This diagnosis, which was written for the specimen taken by him at Trosa in the Swedish Province of Soedermanland on 16th May (O.S.) 1741, reads as follows:—

Papilio hexapus alis divaricatis denticulatis nigris albo punctatis.

17. The diagnosis given by Linnaeus in 1746 for species no. 794 in the 1st edition of the *Fauna svecica* ("primary reference" no. (1)) is identical with the diagnosis given by Linnaeus in 1745 for the insect taken at Trosa in 1741. On this occasion, Linnaeus added the following fuller description:—

DESCR. Magnitudo Argi 803. *Corpus* totum & alae supra nigro fuscae; *Alae* maculis parvis seu punctis quadratis, albis, numerosi adpersae sunt a parte exteriori, margine quasi dentato, interiacentibus maculis albis. *Corpus* & *Alae* subtus griseo-cinereae; alae ipsae subtus maculis albis difformibus inaequalis magnitudinis. *Antennae* clavatae, supra fuscae, subtus albiae, periolis annulis minimis albis. *Alae* rectae non sunt, sed divaricatae, fere uti Phalaenae quercifolia dicta.

¹¹ For the most complete and profusely illustrated modern account of the species referred to throughout the "statement of the case" as the "Mallow Pyrgus," i.e. the species of which the oldest available name is *Pyrgus fritillarius* (Poda, 1761) but which is better known by its synonym *Pyrgus carthami* (Hübner, [1808-1813]), see Warren (B. C. S.), "Monograph of the tribe HESPERIID (European species) based on the genital armature of the males" (1926, *Trans. ent. Soc. Lond.* **74** (1) : 64-72, pl. 15, fig. 6 (♂ genitalia), pl. 22, figs. 1-6♂♂, pl. 23, figs. 1-6♀♀, 7-12♂♂).

¹² As will be seen from footnote 8, it has now been ascertained that the name *Carcharodus alceae* (Esper, 1780) is, in fact, the oldest available name for the species referred to throughout the "statement of the case" as the "Common Mallow Skipper."

¹³ As shown in footnote 4, the oldest available name for the "Mallow Pyrgus" is *Pyrgus fritillarius* (Poda, 1761) and not *Pyrgus carthami* (Hübner, [1808-1813]) as commonly believed at the time when the present case was submitted to the International Commission on Zoological Nomenclature.

This description can only apply to the "Grizzled Skipper," i.e. to the *Pyrgus* species now universally identified as *Papilio malvae* Linnaeus, 1758 (see paragraph 1 above).

18. The diagnosis given by Linnaeus for *Papilio malvae* in 1758, when he first published that binominal name is identical with that given in 1745 for the Trosa insect and in 1746 for the same species when it appeared as species no. 794 in the 1st edition of the *Fauna svecica*, except that at the end the word "maculatis" is substituted for the word "punctatis." In this connection, it will be noted that in the longer description published in 1746 Linnaeus had used the words *macula* and *punctum* as alternative descriptions for the small square white markings on the upperside of the wings of this species.

19. Three years later Linnaeus published a further diagnosis and description of this species (Linnaeus, 1761, *Faun. svec.* (ed. 2) : 285 no. 1081). The diagnosis so given is identical with that given in 1745 for the Trosa insect and in 1746 for the same species when it appeared as species no. 794 in the 1st edition of the *Fauna svecica*. The last named work is cited as a "primary reference" ("Fn. 794"). The longer description given by Linnaeus for this species on this occasion is identical with that in the 1st edition of the *Fauna svecica*, except that in the description of the antennae the word "periolis" is omitted.

20. The diagnosis given by Linnaeus for *Papilio malvae* in 1758 could properly be applied either to the "Grizzled Skipper" (paragraph 1 above) or to the "Mallow Pyrgus" i.e. *Pyrgus fritillarius* (Poda, 1761)¹⁴ (= *Pyrgus carthami* (Hübner), [1808-1813]¹⁴). It could not reasonably be regarded as applicable to the "Common Mallow Skipper," i.e. *Carcharodus alceae* (Esper),¹⁴ (a) because the word *niger* is not an appropriate description of the ground colour of the upperside and (b) because the phrase "albo maculatis" is not one which can be held to apply to a species such as this in which the markings on the forewings are insignificant and tend to be confluent, while the hindwings are devoid altogether of such markings. The diagnosis given by Linnaeus for this species in 1758 is (as noted above) identical (except for one word) with that given by Linnaeus in 1746 (*Fauna svecica*) and in 1745 (*Iter oelandicum*) to a specimen of a species taken by himself in Sweden. This locality eliminates from consideration both the "Mallow Pyrgus" and the "Common Mallow Skipper," neither of which occur in that country. The fuller description given for this species in the 1st edition of the *Fauna svecica* in supplement to the brief diagnosis clearly applies only to the "Grizzled Skipper." The same is true also of the corresponding description given by Linnaeus for this species in the 2nd edition of that work (1761).

(h) Evidence afforded by the name selected by Linnaeus for this species and the habitat cited by him for it

21. The trivial name (*malvae*) given by Linnaeus to this species in 1758 may be taken as implying a belief on his part that this species was associated in some way with the mallow (*Malva*). It is perfectly fair to conclude that Linnaeus considered that the mallow was the food-plant for the larva of the species to which he gave the name *Papilio malvae*.

22. Linnaeus gave no indication in 1745 of the habitat of the insect taken at Trosa in 1741, but, when redescribing that species in 1746 (in the 1st edition of the *Fauna svecica*), he gave the indication "Habitat primo vere in Pratis." In 1758, when he first applied the name *Papilio malvae* to this species, Linnaeus substituted for this entry the words "Habitat in Malva, Althaea." Three years later (in 1761 in the 2nd edition of the *Fauna svecica*), Linnaeus dropped this indication and repeated the habitat cited by him for this species in the 1st edition of that work. In the 12th

¹⁴ See footnote 10.

edition of the *Syst. Nat.* (1 (2) : 795 no. 267) published in 1767 Linnaeus again used the formula employed in 1758.¹

23. The "Grizzled Skipper," i.e. the small species of the genus *Pyrgus* Hübner, [1819], now universally identified with *Papilio malvae* Linnaeus, 1758, has no connection whatever with the mallow. On the other hand, the "Common Mallow Skipper" (= *Carcharodus alceae* (Esper, [1780]¹⁵)), figures of which were cited as "secondary references" in Linnaeus's original description of *Papilio malvae* (see paragraph 15(ii) above) is closely associated with the mallow. Its larva feeds upon that plant and the imago is never found far from it. The association of this species with the mallow was known both to Merian ("secondary reference" (2)) and to Rösel ("secondary reference" (4)) and this piece of information may (and probably did) come to Linnaeus from one or other of these sources, for there is no evidence to show that Linnaeus knew *Carcharodus alceae* (Esper)¹⁵ either in nature or in the museum. The third species included among Linnaeus's "secondary references" in his original description of *Papilio malvae*, namely the "Mallow Pyrgus," i.e. *Pyrgus fritillarius* (Poda, 1761) (= *Pyrgus carthami* (Hübner)¹⁶) (paragraph 15(iii) above) is also associated with the mallow, but there is no evidence to show that this fact was known to Linnaeus.

24. The evidence afforded by the trivial name (*malvae*) applied to this species by Linnaeus in 1758 and by the "habitat" assigned to this species on that occasion, taken in conjunction with the "secondary references" (2), (3) and (4) (but not "secondary reference" (1)) suggest that Linnaeus was then describing the "Common Mallow Skipper" (= *Carcharodus alceae* (Esper)¹⁵) and not the "Grizzled Skipper." The same evidence would have pointed also to the possibility that Linnaeus was then describing the "Mallow Pyrgus," i.e. *Pyrgus fritillarius* (Poda) (= *Pyrgus carthami* (Hübner)), which, jointly with *Carcharodus alceae* (Esper),¹⁵ was cited by him in "secondary reference" (4), if there had been any evidence to show that Linnaeus was aware of the connection of the last-named species with the mallow plant.

(i) Evidence afforded by the type locality of *Papilio malvae* Linnaeus, 1758

25. Linnaeus cited no locality for this species when he named it in 1758, but (as shown in paragraph 6 above) he then cited two "primary references" for this species and each of these references is to a description of a Swedish specimen. Both these descriptions are based upon the same specimen, as is shown by the fact that the diagnosis in the two works (the 1st edition of the *Fauna svecica* and the *Iter oelandicum*) is word for word the same. In the earlier (i.e. the last-named) of these works it is stated that the specimen from which the diagnosis was drawn was taken by Linnaeus's party at Trosa in the Swedish Province of Soedermanland on 16th May (O.S.) 1741 (paragraph 8 above). This must therefore be accepted as the type locality of *Papilio malvae* Linnaeus, 1758.

26. Of the three species to figures of which Linnaeus gave "secondary references" in his original description (1758) of *Papilio malvae* under that binominal name, the "Grizzled Skipper" (paragraph 1 above) occurs commonly in Sweden. Neither of the other species, *Carcharodus alceae* (Esper) and *Pyrgus fritillarius* (Poda) (= *Pyrgus carthami* (Hübner)),¹⁵ occurs in that country. The type locality therefore eliminates both these species from further consideration.

(j) Evidence afforded by the Linnean collection now in the possession of the Linnean Society of London

27. As shown in paragraph 5(b) above, Linnaeus marked his copy of the 12th edition of the *Syst. Nat.* to show, as regards the Order Lepidoptera,

¹⁵ See footnote 10.

¹⁶ See footnote 10.

¹⁷ The Linnean collection of specimens of the Order Lepidoptera was

which species were represented in his collection. *Papilio malvae* Linnaeus, 1758, was one of the species so marked (Jackson, 1913, *Cat. linn. Spec. Amphib. Ins. Test.* : 30).

28. Verity (1913, *J. linn. Soc. Lond. (Zool.)* **32** : 173-174) has shown that Linnaeus's own specimens in the Linnean collection can with care be distinguished from later additions by Smith by the nature of the pins used and the way in which the wings are set. He has shown also (*ibid.* **32** : 190) that the Linnean collection contains one Linnean specimen of *Papilio malvae* Linnaeus, 1758, and that this specimen is a male of the "Grizzled Skipper," i.e. of the small species of the genus *Pyrgus* Hübner now universally identified as *Papilio malvae* Linnaeus, 1758 (paragraph 1 above). Neither *Carcharodus alceae* (Esper) nor *Pyrgus fritillarius* (Poda) (= *Pyrgus carthami* (Hübner)) is represented in the Linnean collection.

(k) *Analysis of available evidence regarding the identity of Papilio malvae Linnaeus, 1758*

29. The following is an analysis of the available evidence regarding the identity of *Papilio malvae* Linnaeus, 1758, discussed in the preceding paragraphs:—

Nature of evidence	The "Grizzled Skipper," i.e. the species of the genus <i>Pyrgus</i> Hübner now universally identified as <i>Papilio malvae</i> Linnaeus, 1758 (see paragraph 1)	The "Common Mallow Skipper," i.e. <i>Carcharodus alceae</i> (Esper, [1780]) (see paragraph 11 and footnote 10)	The "Mallow Pyrgus," i.e. <i>Pyrgus fritillarius</i> (Poda, 1761) (= <i>Pyrgus carthami</i> (Hübner, [1808-1813])) (see paragraph 13 and footnote 10)
Evidence provided by the two "primary references" cited by Linnaeus in 1758 : (Both show that <i>Papilio malvae</i> Linnaeus was described from a Swedish specimen and the earlier of the two works (" <i>Iter oelandicum</i> ") shows that the original specimen (i.e. the type) was taken at Trosa in the Swedish Province of Södermanland on 16th May (O.S.) 1741 (paragraphs 7-9 & 25-26)	applicable to this species, because it occurs in Sweden	inapplicable to this species, because it does not occur in Sweden	inapplicable to this species, because it does not occur in Sweden

evacuated during the war on grounds of security to the Zoological Museum, Tring. While there, the collection was carefully re-examined by Dr. A. Steven Corbet, Assistant Keeper, Department of Entomology, British Museum (Natural History), in conjunction with Mr. W. H. T. Tams, Assistant Keeper in the same Department. This re-examination fully confirmed the conclusions reached by Dr. Roger Verity in 1912, both Dr. Corbet and Mr. Tams being of the opinion : (1) that it is possible by the various means noted by Dr. Verity to distinguish the specimens which were placed in the collection by Linnaeus himself from those added to it after his death, and (2) that the collection in its present state affords "no evidence of the label-changing attributed by many authors to Sir James Edward Smith, M.D., who purchased the Linnean collections on the death of Linnaeus's son and subsequently became the first President of the Linnean Society of London." See Corbet (A. S.), 1942, *Proc. R. ent. Soc. Lond. (B)* **11** : 91-94.

Nature of evidence	The "Grizzled Skipper," i.e. the species of the genus <i>Pyrgus</i> Hübner now universally identified as <i>Papilio malvae</i> Linnaeus, 1758 (see paragraph 1)	The "Common Mallow Skipper," i.e. <i>Carcharodus alceae</i> (Esper, [1870]) (see paragraph 11 and footnote 10)	The "Mallow Pyrgus," i.e. <i>Pyrgus fritillarius</i> (Poda, 1761) (= <i>Pyrgus carthami</i> (Hübner, [1808-1813])) (see paragraph 13 and footnote 10)
Evidence provided by the four "secondary references" cited by Linnaeus in 1758 (paragraphs 10-15)	reference (1) refers to this species (paragraph 10)	references (2) and (3) and the first part of reference (4) refer to this species (paragraphs 11, 12 and 13)	the second part of reference (4) refers to this species (paragraph 13)
The diagnosis published by Linnaeus in 1758 (paragraphs 16-20)	applicable to this species (paragraph 20)	not applicable to this species (paragraph 20)	applicable to this species (paragraph 20)
The description attached to the diagnosis by Linnaeus in 1746 in the non-binominal first edition of the <i>Fauna svec.</i> and repeated in 1761 in the binominal second edition of that work (paragraphs 17, 19-20)	applicable to this species (paragraph 20)	not applicable to this species (paragraph 20)	not applicable to this species (paragraph 20)
The trivial name " <i>malvae</i> " applied by Linnaeus to this species, indicating its reputed association with the Mallow plant (paragraphs 21, 23-24)	not appropriate for this species (paragraph 23)	appropriate for this species and known to be so by Linnaeus, if he had read either Merian or Rösel, to each of whose works he gave a "secondary reference" (paragraphs 23-24)	appropriate for this species; but there is no evidence to show that Linnaeus was aware of this fact (paragraphs 23-24)
The habitat cited by Linnaeus for this species in 1758 (paragraphs 22-24)	not applicable to this species (paragraph 23)	applicable to this species and known to be so by Linnaeus, if he read either Merian or Rösel, to each of whose works he gave a "secondary reference" (paragraphs 23-24)	applicable to this species; but there is no evidence to show that Linnaeus was aware of this fact (paragraphs 23-24)
Evidence provided by the Linnean collection preserved in the Museum of the Linnean Society of London (paragraphs 27-28)	a male of this species bearing a Linnean label is preserved in the Linnean collection	no specimen in the Linnean collection (paragraph 28)	no specimen in the Linnean collection (paragraph 28)

30. The foregoing analysis shows that there are three species to which the name *Papilio malvae* might conceivably have been applied by Linnaeus in 1758, namely:—

- (1) the "Grizzled Skipper," now universally identified with *Papilio malvae* Linnaeus, 1758 (paragraph 1 above);

- (2) the "Common Mallow Skipper," *Carcharodus alceae* (Esper, [1780]) (see paragraph 11 above and footnote 10);
- (3) the "Mallow Pyrgus," *Pyrgus fritillarius* (Poda, 1761) (= *Pyrgus carthami* (Hübner, [1808-1813])).

31. The trivial name given to this species and the habitat assigned to it suggest that the species was either *Carcharodus alceae* (Esper) or *Pyrgus fritillarius* (Poda) (= *Pyrgus carthami* (Hübner))¹⁸ and this conclusion is supported by the fact that figures of both these species were included among the "secondary references" cited by Linnaeus in 1758. The second of these species can however be eliminated from further consideration, since there is no evidence to show that Linnaeus was aware, or could have been aware, of the association of this species with the mallow, since the first record of this observation was made long after Linnaeus's time.

32. The problem resolves itself therefore into the question whether the species named *Papilio malvae* in 1758 was the "Grizzled Skipper" or *Carcharodus alceae* (Esper).¹⁸ The evidence shows that *Papilio malvae* Linnaeus, 1758, occurs in Sweden; the "Grizzled Skipper" does occur in that country, but *Carcharodus alceae* (Esper)¹⁸ does not. The diagnosis given by Linnaeus in 1758 fits the "Grizzled Skipper" perfectly but only with the greatest difficulty can it be argued that it fits *Carcharodus alceae* (Esper).¹⁸ The longer description given by Linnaeus for this species in 1746 ("primary reference" (1)) is a clear and (judged by the standards of the times) an adequate description of the "Grizzled Skipper" and is entirely inapplicable to *Carcharodus alceae* (Esper).¹⁸ Finally, the Linnean collection contains one of Linnaeus's own specimens labelled "*Papilio malvae*" and this is a specimen of the "Grizzled Skipper"; there is no specimen of *Carcharodus alceae* (Esper)¹⁸ in the Linnean collection.

33. It is impossible to disregard this mass of evidence provided by the writings of Linnaeus and by the evidence of his own collection, even though some (but not all) of the "secondary references" point to an opposite conclusion. In the case of a conflict of this kind, the evidence directly afforded by the author of the species himself must be regarded as having far greater weight than indications derived from references cited by that author to the works of other naturalists especially in the case of an author like Linnaeus who (by his own admission) was forced by circumstances to rely at times for references to such works upon second-hand evidence communicated to him by correspondents (paragraph 5(d) above).

34. The conclusion to be drawn from a survey of all the available evidence is therefore that the universal practice of the last eighty years is undoubtedly correct and that the species described by Linnaeus in 1758 as *Papilio malvae* is the small species of the genus *Pyrgus* Hübner, [1819], known in England as the "Grizzled Skipper" (paragraph 1 above).

II.—THE SUBSEQUENT HISTORY OF THE CASE.

3. The questions raised in Commissioner Hemming's paper were considered by the International Committee on Entomological Nomenclature at their meeting held at Madrid in September 1935 during the Sixth International Congress of Entomology. The International Committee unanimously agreed to recommend the International Commission on Zoological Nomenclature to render

¹⁸ See footnote 10.

an *Opinion* clarifying the meaning of *Opinion* 65 in the manner proposed.¹⁹ Having reached this conclusion on the general question involved, the International Committee examined the particular cases in the Order Lepidoptera submitted in the same paper. The International Committee on Entomological Nomenclature considered that, if (as they had agreed to recommend) the International Commission on Zoological Nomenclature agreed to render an *Opinion* clarifying *Opinion* 65 in the manner proposed in the petition, the only possible course as regards the genus *Carcharodus* Hübner, [1819], and its synonym *Spilothyrus* Duponchel, 1835, would be for the International Commission to render an *Opinion* declaring that *Papilio alceae* Esper, [1780],²⁰ to be the type of both these genera. The International Committee considered also that great advantage would be served if at the same time the International Commission were to make it clear that Hübner and Schiffermüller, on whose judgment in this matter Hübner had relied, were in error in identifying *Papilio alceae* Esper²⁰ with *Papilio malvae* Linnaeus, 1758. The International Committee on Entomological Nomenclature agreed therefore to recommend the International Commission on Zoological Nomenclature to proceed in this way under their plenary powers.

4. The above and other resolutions adopted by the International Committee on Entomological Nomenclature at their meeting held at Madrid were confirmed by the Sixth International Congress of

¹⁹ For a full account of the subsequent history of the portion of this petition relating to the interpretation of *Opinion* 65 and the decision of the International Commission on Zoological Nomenclature thereon, see *Opinion* 168 (pp. 411-430 above).

²⁰ As explained in footnote 10, it was erroneously believed at the time when this case was submitted to the International Commission on Zoological Nomenclature that the oldest available name for the "Common Mallow Skipper" was *Papilio fritillarius* Poda, 1761, whereas it is now known that that name is properly applicable to the species referred to in the present *Opinion* as the "Mallow Pyrgus," i.e. the species hitherto known as *Pyrgus carthami*, (Hübner, [1808-1813]). In consequence, it is now seen that the familiar name *Papilio alceae* Esper, [1780], is the oldest available name for the "Common Mallow Skipper," the species universally accepted as the type of the genus *Carcharodus* Hübner, [1819]. So far as concerns the name of this species, this case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in 1935 on the basis of the premises submitted. Accordingly in formulating their recommendations for the consideration of the International Commission on Zoological Nomenclature, the International Committee on Entomological Nomenclature then accepted the name *Papilio fritillarius* Poda, 1761, as being the oldest available name for the "Common Mallow Skipper." In order to avoid further confusion, this error has been corrected in the record of the conclusions reached by the International Committee on Entomological Nomenclature at Madrid in 1935 set out in paragraph 3 of the present *Opinion*.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE.

5. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the *Règles*, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of *Carcharodus* Hübner, [1819] (and its synonym *Spilothyrus* Duponchel, 1835), was among the cases in question and was accordingly dealt with under the above procedure.

6. At the same meeting as that referred to above (Lisbon Session, 2nd Meeting, Conclusion 23), the International Commission on Zoological Nomenclature agreed upon certain clarifications of *Opinion* 65 in regard to the status of genera based upon erroneously determined species (Lisbon Session, 2nd Meeting, Conclusion 23 (a) and (c)).²¹ Having thus cleared the ground regarding the principles involved, the Commission proceeded

²¹ See footnote 19.

to consider the present and certain other cases in the Order Lepidoptera and the resolutions in regard thereto submitted by the International Committee on Entomological Nomenclature. After careful consideration of the present case, the International Commission agreed (Lisbon Session, 2nd Meeting, Conclusion 23 (b) and (c))²² :—

.....
 (b) in the light of (a) above, to suspend the rules in the case of the under-mentioned genera and to declare the types of the genera in question to be the species indicated below :—

Name of genus

Type of genus

-
 (6) *Carcharodus* Hübner, [1819],²³ *Papilio alceae* Esper, [1780],
Verz. bek. Schmett. (7) : 110 *Die Schmett.* 1 (Bd. 2) *Forts.*
 and *Tagschmett.* : 4 pl. 51 fig. 3♀²⁴
Spilothyrus Duponchel, 1835, (the species misidentified as
in Godart, *Hist. nat. Lépid.* *Papilio malvae* Linnaeus, 1758,
France Suppl. 1 (*Diurnes*) : by Schiffermüller & Denis, 1775,
 415 and by Hübner and Duponchel)

(c) to render *Opinions* in the sense of (a) and (b) above.

7. The foregoing decisions were embodied in paragraph 29 of the report which at their meeting held on the morning of Wednes-

²² Only those portions of Conclusion 23 which relate to the present case are here quoted. For the full text of Conclusion 23, see 1943, *Bull. zool. Nomencl.* 1 : 23-25.

²³ See footnote 2.

²⁴ For the reasons explained in footnote 20, the name assigned to the "Common Mallow Skipper" at the time when this case was brought before the International Commission on Zoological Nomenclature at their meeting held at Lisbon in 1935 was *Papilio fritillarius* Poda, 1761, that name being then (erroneously) believed to be the oldest available name for this species. At the same time, the International Commission realised that they were handicapped on that occasion both by the small amount of time available for discussion and by the lack of works of reference; they accordingly decided that after the close of the Lisbon Congress when the necessary works of reference would be available the whole of the references included in the report which they then submitted to the Twelfth International Congress of Zoology should be examined and any necessary corrections made before their report was officially published (Lisbon Session, 5th Meeting, Conclusion 1(c)) (see 1943, *Bull. zool. Nomencl.* 1 : 44). It was in the discharge of the duty so imposed that Commissioner Hemming found that the identification of *Papilio fritillarius* Poda, 1761; with the "Common Mallow Skipper" was erroneous and that in consequence the oldest available name for that species was the well-known name *Papilio alceae* Esper, [1780]. In accordance with the decision taken by the International Commission at Lisbon, this correction was thereupon made both in the report submitted by the Commission to the Twelfth International Congress of Zoology (see 1943, *Bull. zool. Nomencl.* 1 : 62) and in the *Official Record of Proceedings* of the Commission at their Lisbon Session (see 1943, *ibid.* 1 : 25). At the same time, a full explanatory note was published setting out the corrected synonymy of the species concerned (see 1943, *ibid.* 1 : 68-69).

day, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 6), the Commission unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

8. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 5 above), this case was duly advertised in 1936 in two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary powers to suspend the *Règles* as applied to any given case where, in the judgment of the Commission, the strict application of the *Règles* would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the *Règles* in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

9. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely:—

Commissioners:—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates:—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

10. The present *Opinion* was dissented from by no Commissioner or Alternate at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

11. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion*:—

Bolivar y Peltain; Chapman; Fantham; Silvestri; and Stiles.

12. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 adopted a Resolution conferring upon the International Commission on Zoological Nomenclature plenary power to suspend the *Règles* as applied to any given case where, in the judgment of the Commission, the strict application of the *Règles* would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the *Règles* as applied to the said case should be given in two or more of five journals specified in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the *Règles*; and

WHEREAS the suspension of the *Règles* is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the *Règles* as applied to the present case has been given to two or more of the journals specified in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Eighty One (*Opinion* 181) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this first day of December, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

APPEAL FOR FUNDS

The International Trust for Zoological Nomenclature earnestly appeal to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Special (Publications) Fund established for financing the publication of the International Commission on Zoological Nomenclature. Additional donations are urgently needed to enable the Trust to secure that there shall be no interruption in the Publications Programme of the International Commission.

Already since the ending of the war, there has been a noticeable increase in the rate at which new applications have been received by the International Commission from zoologists. The Commission welcome this development and intend to do everything in their power to deal promptly with all such applications, but, if they are to succeed in so doing, they will need to receive active assistance from all institutions and individual zoologists who are in a position to contribute towards the funds of the Commission.

Contributions of any amount, however small, will be most gratefully received and should be sent to the International Trust at their Publications Office, 41, Queen's Gate, London, S.W.7. All such contributions should be made payable to the "International Trust for Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."

SIGNED ON BEHALF OF THE INTERNATIONAL
COMMISSION ON ZOOLOGICAL NOMENCLATURE

FRANCIS HEMMING

*Secretary to the International Trust for
Zoological Nomenclature.*

International Trust for
Zoological Nomenclature,
Publications Office,
41, Queen's Gate, LONDON, S.W.7.

1st February, 1947

**OPINIONS AND DECLARATIONS RENDERED BY
THE INTERNATIONAL COMMISSION ON ZOOLOGICAL
NOMENCLATURE**

Index to Section B of Volume 2

NOTICE TO SUBSCRIBERS

Part 52 containing the indexes and title page for Section B of Volume 2 of the work *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* will be published as soon as possible.

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature*

Secretariat of the Commission,
at the British Museum (Natural History),
Cromwell Road, LONDON, S.W.7.

1st February, 1947.

Ref.

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 52. Pp. 613—628

DIRECTION 2

Addition to the *Official Lists* and *Official Indexes* of
certain scientific names dealt with in *Opinions* 161 to 181



LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7

1954

Price Six Shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN DIRECTION 2

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*)

President : Professor James Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th August 1953)

Secretary : Mr. Francis Hemming (*London, England*) (27th July 1948)

B. The Members of the Commission

(Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology)

Professor H. Boschma (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947)

Senor Dr. Angel Cabrera (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis Hemming (*London, England*) (27th July 1948) (*Secretary*)

Dr. Joseph Pearson (*Tasmania Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning Lemche (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso Esaki (*Kyushu University, Fukuoka, Japan*) (17th April 1950)

Professor Pierre Bonnet (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh Riley (*British Museum (Natural History) London*) (9th June 1950)

Professor Tadeusz Jaczewski (*Institute of Zoology, Polish Academy of Sciences, Warsaw, Poland*) (15th June 1950)

Professor Robert Mertens (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950)

Professor Erich Martin Hering (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950)

Senhor Dr. Afranio do Amaral (*S. Paulo, Brazil*) (12th August 1953) (*Vice-President*)

Professor J. R. Dymond (*University of Toronto, Toronto, Canada*) (12th August 1953)

Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953) (*President*)

Professor Harold E. Vokes (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (12th August 1953)

Professor Béla Hankó (*Békéscsaba, Hungary*) (12th August 1953)

Dr. Norman R. Stoll (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (12th August 1953)

Mr. P. C. Sylvester-Bradley (*Sheffield University, Sheffield, England*) (12th August 1953)

Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (12th August 1953)

DIRECTION 2

ADDITION TO THE " OFFICIAL LISTS " AND " OFFICIAL INDEXES " OF CERTAIN SCIENTIFIC NAMES DEALT WITH IN " OPINIONS " 161 TO 181

RULING :—(1) The under-mentioned generic names dealt with in the *Opinions* severally specified below are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 758 to 760 respectively :—(a) *Argyreus* Scopoli, 1777 (gender : masculine) (type species, by selection by Reuss (1928) : *Papilio niphe* Linnaeus, 1767) (this generic name ruled under the Plenary Powers as being not available for use in preference to *Argynnis* Fabricius, 1807 (type species : *Papilio paphia* Linnaeus, 1758) but available for use by any specialist who does not consider the type species of these two genera to be congeneric with one another) (Class Insecta, Order Lepidoptera) (*Opinion* 161) ; (b) *Symphaedra* Hübner, 1818 (gender : feminine) (type species, by selection by Scudder (1875) : *Symphaedra alcandra* Hübner, 1818) (Class Insecta, Order Lepidoptera) (this generic name ruled under the Plenary Powers as not being available for use in preference to *Euthalia* Hübner, [1818] (type species : *Papilio lubentina* Cramer, [1777], but available for use by any specialist who does not consider the type species of these two genera to be congeneric with one another) (*Opinion* 167) ; (c) *Princeps* Hübner, [1807] (gender : masculine) (type species, by designation under the Plenary Powers : *Papilio demodocus* Esper, [1798]) (Class Insecta, Order Lepidoptera) (for use by specialists who may consider that the type species of this genus is not congeneric with *Papilio machaon* Linnaeus, 1758, the type species of *Papilio* Linnaeus, 1758) (*Opinion* 179).

(2) The under-mentioned specific names dealt with in the *Opinions* severally specified below are hereby placed

on the *Official List of Specific Names in Zoology* as Names Nos. 183 to 193 respectively :—(a) *paphia* Linnaeus, 1758, as published in the combination *Papilio paphia* (specific name of type species of *Argynnis* Fabricius, 1807) (Class Insecta, Order Lepidoptera) (*Opinion* 161) ; (b) *hyperbius* Linnaeus, 1763, as published in the combination *Papilio hyperbius* (Class Insecta, Order Lepidoptera) (*Opinion* 161) ; (c) *minutator* Fabricius, 1798, as published in the combination *Ichneumon minutator* (specific name of type species, by designation under the Plenary Powers, of *Bracon* Fabricius, [1804—1805] (Class Insecta, Order Hymenoptera) (*Opinion* 162) ; (d) *pulcher* Fabricius, 1798, as published in the combination *Pompilus pulcher* (specific name of type species, by designation under the Plenary Powers, of *Pompilus* Fabricius, 1798) (Class Insecta, Order Hymenoptera) (*Opinion* 166) ; (e) *lubentina* Cramer, [1777], as published in the combination *Papilio lubentina* (specific name of type species of *Euthalia* Hübner, [1819]) (Class Insecta, Order Lepidoptera) (*Opinion* 167) ; (f) *nais* Forster, 1771, as published in the combination *Papilio nais* (Class Insecta, Order Lepidoptera) (*Opinion* 167) ; (g) *sulcatus* Jurine, 1807, as published in the combination *Ceraphron sulcatus* (specific name of type species, by designation under the Plenary Powers, of *Ceraphron* Jurine, 1807) (Class Insecta, Order Hymenoptera) (*Opinion* 174) ; (h) *brevipennis* Latreille, [1802—1803], as published in the combination *Proctotrupes brevipennis* (specific name of type species, by designation under the Plenary Powers, of *Proctotrupes* Latreille, 1796) (Class Insecta, Order Hymenoptera) (*Opinion* 178) ; (i) *demodocus* Esper, [1798], as published in the combination *Papilio demodocus* (specific name of type species, by designation under the Plenary Powers, of *Princeps* Hübner, [1807] (Class Insecta, Order Lepidoptera) (*Opinion* 179) ; (j) *flavipennis* Fabricius, 1793, as published in the combination *Sphex flavipennis* (specific name of type species, by designation under the Plenary Powers, of *Sphex* Linnaeus, 1758) (Class Insecta, Order Hymenoptera) (*Opinion* 180) ; (k) *sabulosa* Linnaeus, 1758, as published in the combination *Sphex sabulosa* (specific name of type species, by designation

under the Plenary Powers, of *Ammophila* Kirby, 1798) (Class Insecta, Order Hymenoptera) (*Opinion* 180).

(3) The under-mentioned generic names or reputed generic names dealt with in the *Opinions* severally specified below are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 162 to 166 respectively:—(a) *Psammochares* Latreille, 1796, as suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy (Class Insecta, Order Hymenoptera) (*Opinion* 166); (b) *Pompilus*, all uses of, prior to *Pompilus* Fabricius, 1798, as suppressed under the Plenary Powers for the purposes both of the Law of Priority and of the Law of Homonymy (Class Insecta, Order Hymenoptera) (*Opinion* 166); (c) *Limnas* Hübner, [1806], as suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy (Class Insecta, Order Lepidoptera) (*Opinion* 171); (d) *Ceraphron* Panzer, [1805], as suppressed under the Plenary Powers for the purposes both of the Law of Priority and of the Law of Homonymy (Class Insecta, Order Hymenoptera) (*Opinion* 174); (e) *Serphus* Schrank, 1780, as suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy (Class Insecta, Order Hymenoptera) (*Opinion* 178).

I.—THE SUBJECT MATTER OF THE PRESENT “ DIRECTION ”

The present Direction contains the second instalment of decisions taken by the International Commission on Zoological Nomenclature under the General Directive given to it by the Thirteenth International Congress of Zoology, Paris, 1948, that it should review the Rulings given in all its previous *Opinions* for the purpose of placing on the various *Official Lists* and *Official Indexes* scientific names dealt with in those *Opinions* and the

titles of books similarly dealt with. The first instalment of decisions so taken by the Commission—in *Direction 1*—was concerned with the codification of the Rulings given in *Opinions* 182 to 194 (the last thirteen of the pre-Paris *Opinions*), which formed the opening portion of volume 3 of the work *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature*. Thus, on the publication of *Direction 1* (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 3 : 401—416), the codification of the Rulings given in the *Opinions* included in volume 3 was complete, and the International Commission was able to turn its attention to the codification of the Rulings given in the *Opinions* (*Opinions* 134—181) contained in volume 2 of the above work, which, though complete in other respects, still lacks a Subject Index. In order to secure that, during the process of codification, there shall be at all times a solid bloc of *Opinions*, the Rulings given in which have been codified, it was decided to codify the *Opinions* comprised in volume 2 in the reverse order from that in which they were published. The present *Direction* contains codifications of twenty-one of the *Opinions* comprised in volume 2. Under the arrangement described above, these *Opinions* are *Opinions* 161 to 181.

2. On 12th February 1954, Mr. Hemming, as Secretary, submitted to the International Commission for its consideration the following Draft *Direction* embodying his proposals for the codification, in accordance with the decision of the Paris Congress, of the Rulings given by the Commission in its *Opinions* 161 to 181 :—

DRAFT DIRECTION

Addition to the “ Official Lists ” and “ Official Indexes ” of certain scientific names dealt with in “ Opinions ” 161—181

The following scientific names dealt with in *Opinions* 161 to 181 are hereby added to the *Official Lists* and *Official Indexes* noted below, in accordance with the General Directive issued to the International Commission by the Thirteenth International Congress of Zoology, Paris, that it should insert in the foregoing *Lists* and *Indexes* entries

relating to generic and specific names dealt with in *Opinions* rendered prior to the Paris Session :—

OPINION 161 : (1) The following entry is to be made on the *Official List of Generic Names in Zoology* : *Argyreus* Scopoli, 1777 (type species, by selection by Reuss (1928, *Int. ent. Z.* **22** : 146) : *Papilio niphe* Linnaeus, 1767 (this generic name not to be used in preference to *Argynnis* Fabricius, 1807, but available for those specialists who do not consider *Papilio niphe* Linnaeus, 1767, to be congeneric with *Papilio paphia* Linnaeus, 1758, the type species of *Argynnis* Fabricius, 1807). (2) The following entries are to be made in the *Official List of Specific Names in Zoology* :—(a) *paphia* Linnaeus, 1758, as published in the combination *Papilio paphia* ; (b) *hyperbius* Linnaeus, 1763, as published in the combination *Papilio hyperbius*.

OPINION 162 : The following entry is to be made in the *Official List of Specific Names in Zoology* : *minutator* Fabricius, 1798, as published in the combination *Ichneumon minutator*.

OPINION 163 : The following entry is to be made in the *Official List of Specific Names in Zoology* : *corus* Fabricius, 1793, as published in the combination *Papilio corus*.

OPINION 166 : (1) The following entries are to be made in the *Official Index of Rejected and Invalid Generic Names in Zoology* : (a) *Psammochares* Latreille, 1796 (suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy) ; (b) *Pompilus*, any uses of prior to *Pompilus* Fabricius, 1798 (suppressed for the purposes of both the Law of Priority and the Law of Homonymy). (2) The following entry is to be made in the *Official List of Specific Names in Zoology* : *pulcher* Fabricius, 1798, as published in the combination *Pompilus pulcher*.

OPINION 167 : (1) The following entry is to be made in the *Official List of Generic Names in Zoology* : *Symphaedra* Hübner, 1818, *Zutr. z. Samml. exot. Schmett.* **1** : 7 (type species, by Scudder (1875, *Proc. Amer. Acad. Arts Sci.*, Boston, **10** : 272) : *Symphaedra alcandra* Hübner, 1818, *ibid.* **1** : 7, pl. 1, figs. 1, 2) (this generic name not to be used in preference to *Euthalia* Hübner, [1819], but available for those specialists who do not consider *Symphaedra alcandra* Hübner, 1818, to be congeneric with *Papilio lubentina* Cramer, [1777]). (2) The following entries are to be made in the *Official List of Specific Trivial Names in Zoology* : (a) *lubentina* Cramer, [1777], as published in the combination *Papilio lubentina* ; (b) *nais* Forster, 1771, as published in the combination *Papilio nais*.

OPINION 171 : The following entry is to be made in the *Official Index of Rejected and Invalid Generic Names in Zoology* : *Limnas*

Hübner, [1806] (for the purposes of the Law of Priority but not for those of the Law of Homonymy).

OPINION 174 : (1) The following entry is to be made on the *Official Index of Rejected and Invalid Generic Names in Zoology* : *Ceraphron* Panzer, [1805] (suppressed for the purposes both of the Law of Priority and of the Law of Homonymy). (2) The following entry is to be made in the *Official List of Specific Names in Zoology* : *sulcatus* Jurine, 1807, as published in the combination *Ceraphron sulcatus*.

OPINION 178 : (1) The following entry is to be made in the *Official Index of Rejected and Invalid Generic Names in Zoology* : *Serphus* Schrank, 1780 (suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy). (2) The following entry is to be made in the *Official List of Specific Names in Zoology* : *brevipennis* Latreille, [1802—1803], as published in the combination *Proctotrupes brevipennis*.

OPINION 179 : (1) The following entry is to be made in the *Official List of Generic Names in Zoology* : *Princeps* Hübner, [1807] (type species by designation under the Plenary Powers) *Papilio demodocus* Esper, [1798] (for use by specialists who may consider that the type species of this genus is not congeneric with *Papilio machaon* Linnaeus, 1758, the type species of *Papilio* Linnaeus, 1758). (2) The following entry is to be made in the *Official List of Specific Names in Zoology* : *demodocus* Esper, [1798], as published in the combination *Papilio demodocus*.¹

OPINION 180 : The following entries are to be made in the *Official List of Specific Names in Zoology* : (a) *flavipennis* Fabricius, 1793, as published in the combination *Sphex flavipennis* ; (b) *sabulosa* Linnaeus, 1758, as published in the combination *Sphex sabulosa*.

3. The following explanatory notes were submitted to the Commission at the same time as the Draft Direction reproduced in the immediately preceding paragraph. The purpose of these notes was twofold :—(1) to explain why no action was required on certain of the *Opinions* numbered 161 to 181 ; (2) to draw attention to the provisional or otherwise incomplete character of the decisions recorded in certain of these *Opinions*, in consequence of which further action by the Commission was required

¹ The only reason why it was not here proposed that the name *Orpheides* Hübner, [1819] (a junior objective synonym of *Princeps* Hübner, [1806]) dealt with in this *Opinion* should be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* was that this action had already been taken in the Ruling given in *Opinion* 270 (in the press).

before the names dealt with in those *Opinions* could be placed on the appropriate *Official Lists* and *Official Indexes* :—

Notes on Points arising on “ Opinions ” 161—181

Note 1 : (a) The nominal species *Papilio niphe* Linnaeus, 1767, dealt with in *Opinion* 161, is treated by all specialists as a junior subjective synonym of *Papilio hyperbius* Linnaeus, 1763. Accordingly, it is, under the regulations, the latter name and not the former which is due to be placed on the *Official List of Specific Names in Zoology*. (b) The addition to the *Official List of Generic Names in Zoology* of the name *Argyreus* Scopoli, 1777, is necessary under the regulations that, where owing to differences in taxonomic opinion some authors accept one genus but others consider that two should be recognised, both names are to be placed on the *Official List*, an explanatory note being added in the case of the later published name (*Bull. zool. Nomencl.* 4 : 237, 268).

Note 2 : *Opinions* 164, 168 and 172 are concerned with interpretations of the *Règles* and no action is called for at the present time in connection with these *Opinions*.

Note 3 : *Opinion* 165 contains a purely negative decision, and it will be necessary shortly to consider what affirmative action is required. A paper on this subject will be submitted to the Commission as soon as possible (File Z.N.(S.) 802).

Note 4 : The cheironym *Pompilus* Schneider, 1784, dealt with in *Opinion* 166, is not proposed for addition to the *Official Index of Rejected and Invalid Generic Names in Zoology*, for this action has already been taken in *Opinion* 233, now in the press. The latter *Opinion* records the comprehensive decision taken by the Commission in regard to the status of names published by Schneider in 1784 (1950, *Bull. zool. Nomencl.* 4 : 586).

Note 5 : The addition to the *Official List of Specific Names in Zoology* of the name *nais* Forster, 1771, as published in the combination *Papilio nais*, proposed in connection with *Opinion* 167 is recommended for reasons similar to those explained in *Note 1* (b).

Note 6 : *Opinion* 169 is one of a number of *Opinions* where the only reason why proposals for the addition of the names there dealt with are not now submitted is that the required action has already been taken in *Opinions* prepared in connection with decisions on individual cases reached by the Commission in Paris : *argyrognomon* Bergstrasser, [1779], as published in the combination *Papilio argyrognomon*, in

Opinion 269 (Bull. zool. Nomencl. 4 : 480) ; Lycaeides Hübner, [1819], in Opinion 270 (ibid. 4 : 484).

Note 7 : The decision in *Opinion 170* was of a temporary stop-gap nature and it is necessary now that the Commission should take an appropriate affirmative decision. A paper on this subject will be submitted to the Commission as soon as possible (File Z.N.(S.) 803).

Note 8 : (a) The Paris Congress decided that, where, as in the case dealt with in *Opinion 171*, a name is suppressed under the Plenary Powers solely for the purpose of validating some other name of later date, that suppression is to be limited to the purposes of the Law of Priority, the name so suppressed to retain its rights under the Law of Homonymy ; the purpose of this decision was to prevent the suppression of a name for one purpose having the accidental effect of upsetting some other name already replaced on the ground that it was a junior homonym of the name to be suppressed (*Bull. zool. Nomencl. 4 : 339*). (b) The name *caricae* Linnaeus, 1758, as published in the combination *Papilio caricae*, referred to in this *Opinion* has already been placed on the *Official List* in *Opinion 232* now in the press (*Bull. zool. Nomencl. 4 : 458*).

Note 9 : All the names dealt with in *Opinions 173, 177 and 181* have been placed on the appropriate *Official Lists* and *Official Indexes* in *Opinion 270*. See also in the same *Opinion, Orpheides Hübner, [1819]*, has been placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

Note 10 : (a) It is not proposed that the name *icarus* Rottemburg, 1775, as published in the combination *Papilio icarus*, dealt with in *Opinion 175*, should now be placed on the *Official List of Specific Names in Zoology*, this being a question which is under separate consideration (*Bull. zool. Nomencl. 4 : 485*) (File Z.N.(S.) 805). (b) The name *Polyommatus Latreille, 1804*, has been placed on the *Official List* in *Opinion 260* now in the press (*Bull. zool. Nomencl. 4 : 484*).

Note 11 : It is not at present proposed that the names dealt with in *Opinion 176* should be placed on the *Official Lists* ; a separate paper on this subject will be submitted later (File Z.N.(S.) 804).

III.—DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. *Issue of Voting Paper V.P.(54)6 :* Concurrently with the submission to the Commission of the Draft Direction reproduced

in paragraph 2 above and the explanatory notes reproduced in paragraph 3 above, a Call for a Vote, numbered Voting Paper V.P.(54)6, was issued under the One-Month Rule. In this Voting Paper each Member of the Commission was asked (1) to state whether he agreed " that, in conformity with the General Directive relating to the recording on the various *Official Lists* and *Official Indexes* of decisions in regard to particular names taken by the Commission prior to 1948, issued to the International Commission by the Thirteenth International Congress of Zoology, Paris, 1948, the entries recording such decisions taken in *Opinions* 161 to 181 specified in the Draft Direction submitted by the Secretary simultaneously with the present Voting Paper, should be made, as proposed, in the *Official Lists* and *Official Indexes* concerned ", and (2), if he did not so agree as regards any given item, to indicate the item concerned.

5. *Correspondence between the Secretary and Commissioner L. B. Holthuis in regard to the proposal for the codification of the names dealt with in " Opinion " 167 submitted in Voting Paper V.P.(54)6* : In a letter dated 16th February 1954, Commissioner L. B. Holthuis raised a point in connection with the proposal in the enclosure to Voting Paper V.P.(54)6 in relation to the codification of the decisions given in the Ruling by the Commission in *Opinion* 167. The point raised by Commissioner Holthuis and later by Commissioner H. Boschma was that, whereas in this *Opinion* both the name *Symphaedra* Hübner and the name *Euthalia* Hübner had been treated as having been published in 1819, it was proposed in the Draft Direction annexed to Voting Paper V.P.(54)6 that the name *Symphaedra* Hübner should be treated as having been published in 1818, i.e. in the year prior to the publication of the name *Euthalia* Hübner, which it was still proposed should be treated as having been published in 1819. In a letter dated 14th March 1954, Mr. Hemming explained that this difference was due solely to the fact that since the Lisbon (1935) Session at which the Ruling incorporated in *Opinion* 167 was adopted, the Thirteenth International Congress of Zoology, Paris, 1948, by liberalising the provisions of Article 25 had rendered available the name *Symphaedra* Hübner as published in 1818 in the first volume of the *Zuträge zur Sammlung exotischer Schmetterlinge*. This generic name therefore now ranked from the *Zuträge* of 1818, instead of (as previously) from the *Verzeichniss*

of 1819. Mr. Hemming added that, in his view and in that of Mr. N. D. Riley, this change in the date to be attributed to the name *Symphaedra* Hübner did not in any way effect the substance of the decision taken by the Commission in Lisbon, namely to secure, through the use of the Plenary Powers, that the well-known generic name *Euthalia* Hübner should not be replaced by the name *Symphaedra* Hübner, a name which, when used, had always been employed for a single species (its type species), and then only by those specialists who regarded that species as generically separable from the large group of species habitually placed in the genus *Euthalia*. In letters dated 23rd and 29th March 1954 respectively Commissioners Holthuis and Boschma expressed themselves as completely satisfied with the explanations given in the letter referred to above but asked that in the *Direction* codifying *Opinion* 167 an explicit statement should be inserted "explaining the changes that occurred since the adoption of *Opinion* 167, so that any zoologist can understand the discrepancies between the two *Opinions*". In accordance with this request Mr. Hemming's letter to Dr. Holthuis of 14th March 1954 is attached to the present *Direction* as an appendix.

6. *Withdrawal of the proposal relating to the codification of the Ruling given in "Opinion" 162*: On 25th March 1954, Mr. Hemming, as Secretary to the Commission, executed the following Minute withdrawing the proposal for the codification of the Ruling given in *Opinion* 162, which he had included in the Draft *Direction* relating to the codification of the Rulings given in *Opinions* 161 to 181: "On re-checking the proposals submitted with Voting Paper V.P.(54)6, I find that the proposal submitted for the codification of the Ruling given in *Opinion* 162 is not required, for the specific name *corus* Fabricius, 1793, as published in the combination *Papilio corus* (the only name included in that proposal), has already been placed on the *Official List of Specific Names in Zoology* in the Ruling given in *Opinion* 232, now in the press, embodying a decision taken by the Commission in Paris in 1948 to suppress certain generic names (including the generic name *Euploea*) published by Illiger in 1807 in senses different from those applied to these names by Fabricius later in the same year (1950, *Bull. zool. Nomencl.* 4: 452—459). I accordingly now withdraw the proposal on this subject submitted with Voting Paper V.P.(54)6".

7. *The prescribed Voting Period* : As the foregoing Voting Paper was issued under the One-Month Rule, the prescribed Voting Period closed on 12th March 1954.

8. *Particulars of the Voting on Voting Paper V.P.(54)6* : The state of the voting on Voting Paper V.P.(54)6 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following eighteen (18) Commissioners (arranged in the order in which Votes were received)* :

Lemche ; Holthuis ; Vokes ; Hering ; Dymond ; Riley ;
Boschma ; Bonnet ; do Amaral ; Bradley (J.C.) ;
Esaki ; Mertens ; Hemming ; Sylvester-Bradley ;
Hankó ; Jaczewski ; Pearson ; Stoll ;

(b) *Negative Votes* :

None ;

(c) *Voting Paper V.P.(54)6 was not returned by one (1) Commissioner* :

Cabrera.

9. *Declaration of Result of Vote* : On 30th March 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(54)6, signed a Certificate that the Votes cast were as set out in paragraph 8 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

10. On 31st March 1954 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that subject to the omission of the proposal relating to *Opinion* 162, which, as explained in paragraph 6 above, had been withdrawn on 25th March 1954, the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(54)6.

11. The following are the original references for the names which appear in the Ruling given in the present *Direction* :—

- Argyreus* Scopoli, 1777, *Introd. Hist. nat.* : 431
brevipennis, *Proctotrupes*, Latreille, [1802—1803], in Sonnini's Buffon, *Hist. nat. gén. partic. Crust. Ins.* 3 : 309
Ceraphron Panzer, [1805], *Faun. Ins. germ.* (97) : tab. 16
demodocus, *Papilio*, Esper, [1798], *Ausl. Schmett.* (14) : 205, pl. 51, fig. 1
flavipennis, *Sphex*, Fabricius, 1793, *Ent. syst.* 2 : 201
hyperbius, *Papilio*, Linnaeus, 1763, *Amoen. acad.* 6 : 408
Limnas Hübner, [1806], *Samml. exot. Schmett.* 1 : pl. [29]
lubentina, *Papilio*, Cramer, [1777], *Uitl. Kapellen* 2 (13) : 92, pl. 115, figs. C, D
minutator, *Ichneumon*, Fabricius, 1798, *Suppl. Ent. syst.* : 225
nais, *Papilio*, Forster, 1771, *Nov. Spec. Ins.* 1 : 73
paphia, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 481
Princeps Hübner, [1807], *Samml. exot. Schmett.* 1 : pl. [116]
Psammochares Latreille, 1796, *Précis Caract. Ins.* : 115
pulcher, *Pompilus*, Fabricius, 1798, *Suppl. Ent. syst.* : 249
sabulosa, *Sphex*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1 : 569
Serphus Schrank, 1780, *Schrift. Berlin. Ges. nat. Freunde* 1 : 307
sulcatus, *Ceraphron*, Jurine, 1807, *Nouv. Méth. class. Hyménopt.* : 303
Symphaedra Hübner, 1818, *Zuträge z. Samml. exot. Schmett.* 1 : 7, pl. [1], figs. 1, 2

12. The following are the references to the type selections specified for the under-mentioned genera in the Ruling given in the present *Direction* :—(a) for the genus *Argyreus* Scopoli, 1777 : type selection by Reuss, 1928, *Int. ent. Z.* 22 : 146 ; (b) for the genus *Symphaedra* Hübner, 1818 : type selection by Scudder, 1875, *Proc. Amer. Acad. Arts. Sci.*, Boston 10 : 272.

13. The present *Direction* is hereby rendered in the name of the International Commission on Zoological Nomenclature by the under-signed Francis Hemming, Secretary to the said Commission, in virtue of all and every the powers conferred upon him in that behalf.

14. The present *Direction* shall be known as *Direction Two* (2) of the International Commission on Zoological Nomenclature.

DONE in London, this Thirty-First day of March, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

ANNEXE

The names "Symphaedra" Hübner, 1818, and "Euthalia" Hübner,
[1819]

*Letter dated 14th March 1954 from Francis Hemming, Secretary to the
Commission to Dr. L. B. Holthuis*

In reply to your letter of 16th February, I should explain that the facts as they then existed were correctly stated in the application about the name *Euthalia*, both of which were then rightly attributed to the *Verzeichniss bekannt. Schmeltt*. It had always been known that the name *Symphaedra* had been published by Hübner in volume 1 of the *Zutr. z. Samml. exot. Schmeltt*, but at the time of the submission of this application that name, as there published, was not an available name, since it was published without a diagnosis and without a designated or indicated type species. The situation in this matter was completely changed by the decision of the Paris Congress in 1948 to liberalise the provision of Article 25 (*Bull. zool. Nomencl.* 4 : 78—80), and the reference of *Symphaedra* to the *Zuträge* instead of to the *Verzeichniss* is thus no more than an inevitable consequential result of that decision.

The purpose of the application submitted in this case was to prevent the confusion which would inevitably arise if *Symphaedra* Hübner possessed—or could be claimed to possess—priority over *Euthalia*. In this case there would not only have been confusion but also the prospect of continuing instability, for this is a case where the type species of a genus having (or claimed to have) a name possessing priority (*Symphaedra*) over another name (*Euthalia*) has as its type species a species which is taxonomically at the extreme margin of the large group of species habitually referred to the second genus (*Euthalia*). Thus, if no action had been taken by the Commission, we should have had this position :—(1) Systematists who regarded the two type species as congeneric would have had to call by the name *Symphaedra* all the species hitherto called *Euthalia* ; (2) Systematists who regarded the two type species as generically distinct from one another would have used (as hitherto) the name *Symphaedra* for the type species of that

genus and would have used (as hitherto) the name *Euthalia* for all the other species concerned. Great confusion would have resulted from the instability so created, for in any discussion of the genus *Euthalia* it would have been difficult, and often impossible, to determine the dimensions of the group to which the author concerned was referring. It was to prevent this most undesirable result that the application dealt with in *Opinion* 167 was submitted, its purpose being to secure that the name *Euthalia* should be available for the large group of species for which it is habitually used, while at the same time arrangements were made under which the name *Symphædra* would continue to be available for the one species which some systematists placed in *Euthalia*, but others considered worthy of generic separation. Neither at that time nor since has any lepidopterist thought it proper to advocate the substitution of the name *Symphædra* for the name *Euthalia*. Thus, the application submitted in this case had the support of all interested workers.

You are, of course, correct when you say that, as the claims of *Symphædra* for priority over *Euthalia* rested (as it was then thought) only on page precedence, it would not have been necessary to ask the Commission to use the Plenary Powers to secure protection for the name *Euthalia*, if that protection could have been secured by the "first reviser" provision; but in this group the "first reviser" rule has worked so uncertainly and attempts to operate that rule have given rise to so much uncertainty that the applicants (Mr. N. D. Riley and myself) took the view that the present was a case where the use of the Plenary Powers was necessary if stability was to be secured. It was for this reason that we submitted our application.

Mr. Riley whom I have consulted takes the view that no essential change has occurred in regard to this name since at Lisbon in 1935 the International Commission on Zoological Nomenclature, decided to use its Plenary Powers to protect *Euthalia* as against *Symphædra*. For my part, I fully share this view. We therefore both consider that the proper course now is to proceed as proposed in Voting Paper V.P.(54)6, that is, to place *Symphædra* on the *Official List* for use by any specialist who considers that genus distinct from *Euthalia*, this to be subject, however, to the condition imposed in *Opinion* 167 that *Symphædra* shall not be used in preference to *Euthalia*. The name *Euthalia* Hübner is already on the *Official List*, following the decision of the Commission that in the interests of stability that name must be protected from attack.

Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 53. Pp. 629—652

DIRECTION 4

Addition to the *Official Lists* and *Official Indexes* of certain scientific names and of the titles of certain books dealt with in *Opinions* 134—160, exclusive of *Opinion* 149



LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
1954

Price Eleven Shillings and Sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN DIRECTION 4

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*)

President : Professor James Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th August 1953)

Secretary : Mr. Francis Hemming (*London, England*) (27th July 1948)

B. The Members of the Commission

(*Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*)

Professor H. Boschma (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947)

Senor Dr. Angel Cabrera (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis Hemming (*London, England*) (27th July 1948) (*Secretary*)

Dr. Joseph Pearson (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning Lemche (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso Esaki (*Kyushu University, Fukuoka, Japan*) (17th April 1950)

Professor Pierre Bonnet (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh Riley (*British Museum (Natural History) London*) (9th June 1950)

Professor Tadeusz Jaczewski (*Institute of Zoology, Polish Academy of Sciences, Warsaw, Poland*) (15th June 1950)

Professor Robert Mertens (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a.M., Germany*) (5th July 1950)

Professor Erich Martin Hering (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950)

Senhor Dr. Afranio do Amaral (*S. Paulo, Brazil*) (12th August 1953) (*Vice-President*)

Professor J. R. Dymond (*University of Toronto, Toronto, Canada*) (12th August 1953)

Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953) (*President*)

Professor Harold E. Vokes (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (12th August 1953)

Professor Béla Hankó (*Békéscsaba, Hungary*) (12th August 1953)

Dr. Norman R. Stoll (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (12th August 1953)

Mr. P. C. Sylvester-Bradley (*Sheffield University, Sheffield, England*) (12th August 1953)

Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (12th August 1953)

DIRECTION 4

ADDITION TO THE "OFFICIAL LISTS" AND "OFFICIAL INDEXES" OF CERTAIN SCIENTIFIC NAMES AND OF THE TITLES OF CERTAIN BOOKS DEALT WITH IN "OPINIONS" 134—160, EX- CLUSIVE OF "OPINION" 149

RULING :—(1) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* as Names Nos. 802—805 respectively :—(a) *Merops* Linnaeus, 1758 (gender : masculine) (type species, by Linnean tautonymy (*Opinion* 16) : *Merops apiaster* Linnaeus, 1758) (Class Aves) (*Opinion* 140) ; (b) *Merope* Newman, 1838 (gender : feminine) (type species, by monotypy : *Merope tuber* Newman, 1838) (Class Insecta, Order Mecoptera) (*Opinion* 140) ; (c) *Tingis* Fabricius, 1803 (gender : feminine) (type species, by selection by Latreille (1810) : *Cimex cardui* Linnaeus, 1758) (Class Insecta, Order Hemiptera) (*Opinion* 143) ; (d) *Cynthia* Fabricius, 1807 (gender : feminine) (type species, by selection by Westwood (1840) : *Papilio cardui* Linnaeus, 1758) (Class Insecta, Order Lepidoptera) (to be used by any specialist who may consider that the type species of this genus is generically distinct from *Papilio atalanta* Linnaeus, 1758, the type species of *Vanessa* Fabricius, 1807, but not to be used in preference to the name *Vanessa* Fabricius, 1807) (*Opinion* 156).

(2) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 241—266 respectively :—(a) *achilles* Linnaeus, 1758, as published in the combination *Papilio achilles* (specific name of type species of *Morpho* Fabricius, 1807) (Class Insecta, Order Lepidoptera) (*Opinion* 137) ; (b) *pygmaeus* Linnaeus, 1767, as published in the combination *Sirex pygmaeus* (specific name of type species of *Cephus* Latreille, [1802—1803])

(Class Insecta, Order Hymenoptera) (*Opinion* 139); (c) *abdominalis* Panzer, [1798], as published in the combination *Tiphia abdominalis* (specific name of type species of *Astata* Latreille, 1796) (Class Insecta, Order Hymenoptera) (*Opinion* 139); (d) *apiaster* Linnaeus, 1758, as published in the combination *Merops apiaster* (specific name of type species of *Merops* Linnaeus, 1758) (Class Aves) (*Opinion* 140); (e) *tuber* Newman, 1838, as published in the combination *Merops tuber* (specific name of type species of *Merope* Newman, 1838) (Class Insecta, Order Mecoptera) (*Opinion* 140); (f) *actaea* Esper, [1780], as published in the combination *Papilio actaea* (type species, by designation under the Plenary Powers, of *Satyrus* Latreille, 1810) (Class Insecta, Order Lepidoptera) (*Opinion* 142); (g) *cardui* Linnaeus, 1758, as published in the combination *Cimex cardui* (specific name of type species of *Tingis* Fabricius, 1803) (Class Insecta, Order Hemiptera) (*Opinion* 143); (h) *cribraria* Linnaeus, 1758, as published in the combination *Vespa cribraria* (specific name of type species, by designation under the Plenary Powers, of *Crabro* Fabricius, 1775) (Class Insecta, Order Hymenoptera) (*Opinion* 144); (i) *lutea* Linnaeus, 1758, as published in the combination *Tenthredo lutea* (specific name of type species, by designation under the Plenary Powers, of *Cimbex* Olivier, 1790) (Class Insecta, Order Hymenoptera) (*Opinion* 144¹); (j) *hyale* Linnaeus, 1758, as published in the combination *Papilio hyale* (specific name of type species, by designation under the Plenary Powers, of *Colias* Fabricius, 1807) (Class Insecta, Order Lepidoptera) (*Opinion* 145); (k) *nigra* Linnaeus, 1758, as published in the combination *Formica nigra* (specific name of type species, by designation under the Plenary Powers, of *Lasius* Fabricius, [1804—1805]) (Class Insecta, Order Hymenoptera) (*Opinion* 151); (l) *pilipes* Fabricius, 1775, as published in the combination

¹ By inadvertence not all of the requisite information was submitted to the International Commission at the time when, by the Ruling given in *Opinion* 144, it validated the name *Cimbex* Olivier, 1790, under its Plenary Powers. On this omission coming to light, the necessary further action was taken by the Commission by a decision which has since been embodied in *Opinion* 216 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 4 : 63—72).

Apis pilipes (specific name of type species, by designation under the Plenary Powers, of *Anthophora* Latreille, 1803) (Class Insecta, Order Hymenoptera) (*Opinion* 151); (m) *fuscicornis* Jurine, 1807, as published in the combination *Omalus fuscicornis* (specific name of type species, by designation under the Plenary Powers, of *Bethylus* Latreille, [1802—1803]) (Class Insecta, Order Hymenoptera) (*Opinion* 153); (n) *formicarius* Latreille, ([1804—1805], as published in the combination *Dryinus formicarius* (specific name of type species of *Dryinus* Latreille, [1804]) (Class Insecta, Order Hymenoptera) (*Opinion* 153); (o) *falcata* Poda, 1761, as published in the combination *Gryllus falcata* (specific name of type species, by designation under the Plenary Powers, of *Phaneroptera* Serville, 1831) (Class Insecta, Order Orthoptera) (*Opinion* 154); (p) *lilifolia* Fabricius, 1793, as published in the combination *Locusta lilifolia* (specific name of type species of *Tylopsis* Fieber, 1853) (Class Insecta, Order Orthoptera) (*Opinion* 154); (q) *bedeguaris* Linnaeus, 1758 as published in the combination *Ichneumon bedeguaris* (specific name of type species, by designation under the Plenary Powers, of *Torymus* Dalman, 1820) (Class Insecta, Order Hymenoptera) (*Opinion* 155); (r) *atalanta* Linnaeus, 1758, as published in the combination *Papilio atalanta* (specific name of type species of *Vanessa* Fabricius, 1807) (Class Insecta, Order Lepidoptera) (*Opinion* 156); (s) *cardui* Linnaeus, 1758, as published in the combination *Papilio cardui* (specific name of type species of *Cynthia* Fabricius, 1807) (Class Insecta, Order Lepidoptera) (*Opinion* 156); (t) *viduatorius* Fabricius, [1804—1805], as published in the combination *Cryptus viduatorius* (specific name of type species of *Cryptus* Fabricius, [1804—1805]) (Class Insecta, Order Hymenoptera) (*Opinion* 157); (u) *enodis* Linnaeus, 1767, as published in the combination *Tenthredo enodis* (specific name of type species of *Arge* Schrank, 1802) (Class Insecta, Order Hymenoptera) (*Opinion* 157); (v) *pini* Linnaeus, 1758, as published in the combination *Tenthredo pini* (specific name of type species of *Diprion* Schrank, 1802) (Class Insecta, Order Hymenoptera) (*Opinion* 157); (w) *migratorius* Linnaeus, 1758, as published in the combination *Gryllus migratorius* (specific

name of type species, by designation under the Plenary Powers, of *Locusta* Linnaeus, 1758) (Class Insecta, Order Orthoptera) (*Opinion* 158); (x) *extensorius* Linnaeus, 1758, as published in the combination *Ichneumon extensorius* (specific name of type species, by designation under the Plenary Powers, of *Ichneumon* Linnaeus, 1758) (Class Insecta, Order Hymenoptera) (*Opinion* 159); (y) *instigator* Fabricius, 1793, as published in the combination *Ichneumon instigator* (specific name of type species, by designation under the Plenary Powers, of *Pimpla* Fabricius, [1804—1805]) (Class Insecta, Order Hymenoptera) (*Opinion* 159); (z) *manifestator* Linnaeus, 1758, as published in the combination *Ichneumon manifestator* (specific name of type species, by designation under the Plenary Powers, of *Ephialtes* Gravenhorst, 1829) (Class Insecta, Order Hymenoptera) (*Opinion* 159).

(3) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 212—221 respectively:—(a) the following generic names published on plates in volume 1 of Hübner (J.), *Sammlung exotischer Schmetterlinge*, being names suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy:—(i) *Potamis* Hübner, [1807]; (ii) *Rusticus* Hübner, [1807]; (iii) *Mancipium* Hübner, [1807] (*Opinion* 137); (b) *Astatus* [Jurine], 1801 (a name published in a work suppressed for nomenclatorial purposes under the Plenary Powers) (*Opinion* 139); (c) *Crabro* Geoffroy, 1762 (a name suppressed under the Plenary Powers for the purposes both of the Law of Priority and of the Law of Homonymy²) (*Opinion* 144); (d) *Lasius* Panzer, [1801—1802] (a name suppressed under the Plenary Powers for the purposes both of the Law of Priority and of the Law of

² At the time when the name *Crabro* Geoffroy, 1762, was suppressed under the Plenary Powers, it was an open question whether the *Histoire abrégée* in which it was published was an available work under Article 25 of the *Règles*. It has since been ruled by the Commission that the foregoing work does not comply with the requirements of the above Article and therefore that no name acquired the status of availability by reason of having been published in Geoffroy's *Histoire abrégée*. See *Opinion* 228 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 4 : 209—220).

Homonymy) (*Opinion* 151); (e) *Podalirius* Latreille, 1802 (a name suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy) (Class Insecta, Order Hymenoptera) (*Opinion* 151); (f) *Callimome* Spinola, 1811 (a name suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy) (Class Insecta, Order Hymenoptera) (*Opinion* 155); (g) *Misocampe* Latreille, 1818 (a name suppressed under the Plenary Powers for the purposes of the Law of Priority but not for those of the Law of Homonymy) (Class Insecta, Order Hymenoptera) (*Opinion* 155); (h) *Ephialtes* Schrank, 1802 (a name suppressed under the Plenary Powers for the purposes both of the Law of Priority and of the Law of Homonymy) (Class Insecta, Order Hymenoptera) (*Opinion* 159).

(4) The titles of the under-mentioned works are hereby placed on the *Official List of Works approved as Available for Zoological Nomenclature* as Works Nos. 12—16 respectively:—(a) Freyer (C. F.), *Neuere Beiträge zur Schmetterlingskunde*, 7 vols., 1833—1858 (species described as new in this work to be treated as having been described as belonging to the genus cited by Freyer at the head of the description and not to the genus with the name of which the new specific name was actually combined) (*Opinion* 134); (b) Latreille (P. A.), *Considérations générales sur l'Ordre naturel des Animaux composant les Classes des Crustacés, des Arachnides et des Insectes avec un Tableau méthodique de leurs Genres disposés en Familles*, 1810 (the entries in the *Tableau Méthodique*³ at the end of this work to be accepted as

³ It may be noted that, although the very important list of genera containing type selections made by Latreille in the *Considérations générales* is referred to on the title page of that work under the title "*Tableau méthodique de leurs Genres disposés en Familles*", this is not the title actually used by Latreille at the head of this list, which was as follows:—*Table des Genres avec l'indication de l'espèce qui leur sert de type*". It is presumably because of the use by Latreille of the word "*Tableau*" in the expression "*Tableau méthodique*" on the title page and of the substitution for that word of the word "*Table*" at the head of the list itself that this list has been commonly, though incorrectly, referred to in the literature as the "*Table méthodique*" of Latreille (1810).

constituting the selection, under Rule (g) in Article 30, of type species for the genera concerned in those cases where Latreille there cited for the genus in question one nominal species only but in no other case, it being understood that the selection so made is to be accepted as a valid selection, only (i) if the nominal species so selected was one of those included in the genus by its original author and (ii) if the type species for the genus concerned had not already been determined under any of the earlier Rules in Article 30 or by a previous selection made under Rule (g) in that Article) (*Opinion* 136, incorporating *Opinion* 11); (c) Fabricius (J. C.), a paper entitled "Die neueste Gattungs-Eintheilung der Schmetterlinge aus den Linneischen Gattungen *Papilio* und *Sphinx*" published in 1807 on pages 277—295 of volume 6 of the serial publication *Magazin für Insektenkunde herausgegeben von Karl Illiger* (generic names published in the foregoing paper to take precedence over any names published for the same genera earlier in 1807 by Hübner (J.) on the legends to plates in volume 1 of the work entitled *Sammlung exotischer Schmetterlinge*) (Ruling given under the Plenary Powers) (*Opinion* 137); (d) Hübner (J.), *Sammlung exotischer Schmetterlinge*, 3 vols. (vol. 2 completed, and vol. 3 compiled, by Geyer (C.)), 1806—[1838] (generic names published on the legends of plates in vol. 1 of this work prior to the publication in 1807 by Fabricius (J. C.) of the paper entitled "Die neueste Gattungs-Eintheilung der Schmetterlinge aus den Linneischen Gattungen *Papilio* und *Sphinx*" not to take precedence over names published by Fabricius for the same genera) (Ruling given under the Plenary Powers) (*Opinion* 137); (e) Hübner (J.), *Verzeichniss bekannter Schmettlinge* [sic], 1816—[1826] (the dates, as determined in the light of the discovery of Hübner's manuscripts, to be accepted for the several portions of this work being as follows:—(1) pp. 1—16, 1816; (2) pp. 17—176, [1819]; (3) pp. 177—208, [1820]; (4) pp. 209—256, [1821]; (5) pp. 257—304, [1823]; (6) pp. 305—431, [1825]; (7) *Anzeiger*, pp. 1—72, [1826]) (*Opinion* 150).

(5) The under-mentioned work is hereby placed on the *Official Index of Rejected and Invalid Works in Zoological*

Nomenclature as Work No. 28 :—[Jurine, (L.)], the anonymous paper entitled “ Nachricht von Einen neuen entomologischen [sic] Werke des Hrn. Prof. JURINE in Geneve ” (dealing with the generic classification of the Order Hymenoptera (Class Insecta)) and commonly known as the “ Erlangen List ” published in 1801 on pp. 161—165 of the unnumbered volume for that year of the serial publication *Intelligenz-Blatt der Literatur-Zeitung* (a paper suppressed for nomenclatorial purposes under the Plenary Powers) (*Opinion* 135).

I.—THE SUBJECT MATTER OF THE PRESENT “ DIRECTION ”

The present *Direction* contains the fourth instalment of decisions taken by the International Commission on Zoological Nomenclature under the General Directive given to it by the Thirteenth International Congress of Zoology, Paris, 1948, that it should review the Rulings given in all its previous *Opinions* for the purpose of placing on the various *Official Lists* and *Official Indexes* scientific names dealt with in those *Opinions* and the titles of books similarly dealt with. The first and third instalments (*Directions* 1 and 3) contained decisions taken by the International Commission after reviewing the Rulings given in *Opinions* 182—194, the first thirteen *Opinions* included in volume 3 of the present work ; the second instalment (*Direction* 2) contained decisions taken after the review of *Opinions* 161—181. The present *Direction* contains the decisions taken by the Commission after reviewing the Rulings given in *Opinions* 134—160, exclusive of *Opinion* 149, which it was considered could more conveniently be dealt with separately owing to the large number of names involved. The present *Direction* concludes the review by the Commission of the Rulings given in

Opinions 134—160, save as regards certain individual items which, as explained in the notes reproduced in paragraph 2 of the present *Direction*, have been reserved by the Commission for individual treatment.

2. On 5th April 1954, Mr. Francis Hemming, as Secretary, submitted to the Commission the following note covering the annexed Draft of a *Direction* embodying his proposals for the codification, in accordance with the decision of the Paris Congress, of the Rulings given by the Commission in *Opinions* 134—160, exclusive of *Opinion* 149, proposals relating to which were deferred by Mr. Hemming for separate submission to the Commission⁴ :—

Addition to the “ Official Lists ” and “ Official Indexes ” of certain names and of the titles of certain books dealt with in “ Opinions ” 134—148 and 150—160, under the General Directives on this subject issued to the Commission by the Thirteenth (Paris) and Fourteenth (Copenhagen) International Congresses of Zoology

In my Note dated 12th February 1954 I submitted to the Commission with V.P.(54)6 proposals for the addition to the *Official Lists* and *Official Indexes* of certain names dealt with in the Commission's *Opinions* 161—181, under the General Directive on this subject issued to the Commission by the Thirteenth International Congress of Zoology, Paris, 1948. I now submit corresponding proposals relating to the Commission's *Opinions* 134—148 and 150—160. *Opinion* 149 contains a large number of names which will need to be added to the *Official List of Specific Names in Zoology*, and I have thought that it would be more convenient to reserve the proposals in regard to this *Opinion* for submission with a later Note.

2. I have annexed to the present paper a series of short notes containing explanations of certain of the proposals now submitted, which I hope will serve the convenience of members of the Commission.

Notes on Points arising on “ Opinions ” 134—160

Note 1 : *Opinion* 136 was itself no more than a clarification of a Ruling given in *Opinion* 11 in regard to the interpretation, in relation to Rule (g) in Article 30, of action taken by Latreille in 1810 in the *Tableau méthodique* annexed to his *Considérations générales*. It would clearly be not only impracticable but also highly inappropriate to attempt to codify the Ruling given in *Opinion* 136 independently of that given in

⁴ See *Direction* 5 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 2 : 653—664.

Opinion 11. Accordingly, in the codification now submitted the Rulings given in these two *Opinions* are dealt with together.

Note 2 : In *Opinion* 137 the Plenary Powers were used (conditionally) for the purpose of protecting three well-known generic names, but through some inadvertence it was not expressly stated in the Official Record of the Session held by the Commission at Lisbon (where the Ruling given in this *Opinion* was adopted) that these three generic names were to be placed on the *Official List*. When during the late war I was engaged in compiling the *Official List of Generic Names in Zoology*, I brought this omission to the notice of President Karl Jordan who thereupon gave directions that, subject to later confirmation by the Commission, these names (*Morpho* Fabricius ; *Helicopsis* Fabricius ; *Pontia* Fabricius) were to be treated as having been placed on the *Official List*. The action so taken was reported to the Commission in Paris with reference to the second and third of these names which then came before it in another connection, and the action of President Jordan in this matter was confirmed ; at the same time the names of the type species of *Helicopsis* and *Pontia* were placed on the *Official List of Specific Names in Zoology*. Accordingly, all that is now required to give effect to the Paris Congress' General Directive is that the name of the type species of *Morpho* should be placed on the foregoing *Official List* and that the three corresponding generic names published by Hübner in the *Samml. exot. Schmett* should be placed on the *Official Index*.

Note 3 : *Opinion* 138 is concerned only with the interpretation of a provision in the *Règles* and no action is called for at the present time in connection with this *Opinion*.

Note 4 : *Opinion* 140 was primarily concerned with the formation of two family names which are now to be entered on the *Official List of Family-Group Names in Zoology*. At the same time it will be necessary to place on the *Official List of Generic Names* the names of the type genera of these families and on the *Official List of Specific Names* the specific names of the type species of these two genera. The particulars needed for this purpose are not given in this *Opinion*, and I have accordingly made special inquiries for the purpose of securing the necessary information. (A) The name *Merops* Linnaeus, 1758, is accepted by all ornithologists as the generic name for the Bee-Eater and *Merops apiaster* Linnaeus, 1758, is accepted by all workers as the type species of this genus ; it became the type species by Linnean tautonymy through the citation by Linnaeus under the name *Merops apiaster* of the pre-1758 univocal name " *Merops* " by various early authors. (B) The name *Merope* Newman, 1838 : I have consulted Mr. N. D. Riley (*British Museum (Natural History), London*), who informs me that the name *Merope* Newman, 1838, is currently accepted as the name of a taxonomically valid genus, which in turn is the type genus of the currently

accepted family MEROPEIDAE, that this name is feminine in gender, that the type species of the above genus is *Merope tuber* Newman, 1838, by monotypy, that the specific name *tuber* Newman is currently accepted as the oldest available name for the species concerned and therefore that both the generic name *Merope* Newman and the specific name *tuber* Newman (*Merope*) are eligible for admission to the appropriate *Official Lists* and should be so admitted.

Note 5 : For reasons similar to those explained in *Note 3* above in connection with *Opinion 138*, no action at the present time is called for in connection with *Opinion 141*.

Note 6 : Like *Opinion 140*, *Opinion 143* is mainly concerned with the formation of a family name, and it is necessary now to place the type genus of that family and the specific name of the type species of that genus on the appropriate *Official Lists*. I have consulted Dr. W. E. China (*British Museum (Natural History), London*), who informs me that the type species of *Tingis* Fabricius, 1803 is *Cimex cardui* Linnaeus, 1758, by selection by Latreille, 1810, that the name *cardui* Linnaeus is currently accepted for the species so named, that there is agreement among specialists on these questions and therefore that these names should be entered in the *Official Lists* concerned.

Note 7 : For reasons similar to those explained in *Note 3* above in connection with *Opinion 138*, no action at the present time is called for in connection with *Opinion 145*.

Note 8 : For reasons similar to those referred in the immediately preceding note, no action is called for at the present time in connection with *Opinion 147* or with *Opinion 148*.

Note 9 : Proposals for the codification of the names included in the Ruling given in *Opinion 149* will be submitted in a later Voting Paper⁵.

Note 10 : *Opinion 152* is concerned with Meigen, 1800, *Nouvelle Classification des Mouches à deux ailes*. The Ruling given was purely interim in character. A comprehensive proposal on this subject has since been submitted by Dr. C. W. Sabrosky (*Z.N.(S.) 191*)⁶.

Note 11 : The purpose of the application dealt with in *Opinion 156* was to secure a Ruling which would prevent any possibility of the substitution of the name *Cynthia* Fabricius, 1807, for the name *Vanessa* Fabricius, 1807, two names of which the latter is a household word, while the former has only been used intermittently. The two names were published in the same work and the name *Cynthia* has page precedence over *Vanessa*. The difficulties of the literature in this group are such that it has been found that the "First Reviser" Rule cannot be relied upon to produce a conclusion which would not be open to

⁵ See footnote 4.

⁶ Sabrosky, 1952, *Bull. zool. Nomencl.* 6 : 131—141.

challenge. For this reason there was a tendency at the time of the submission of this application for specialists to rely upon the principle of page precedence. The name *Cynthia* Fabricius is an available name, being only a subjective synonym of *Vanessa* Fabricius. It would be appropriate, therefore, for that name now to be placed on the *Official List of Generic Names* with a note that it is available for use by any specialist who considers that the type species of *Cynthia* and *Vanessa* are generically distinct from one another but that this name is not available for use in preference to the name *Vanessa*.

Note 12 : Opinion 160, which is concerned with the name *Anguina* Scopoli, 1777, gave only an interim Ruling which it is desirable should be replaced as quickly as possible by a definite Ruling. Proposals to this end have been submitted to the Commission and are now under consideration by it in the vote which is in progress on Voting Paper V.P.(54)15.

*Annexe to the Note by the Secretary covering
Voting Paper V.P.(O.M.)(54)4*

ADDITION TO THE "OFFICIAL LISTS" AND "OFFICIAL INDEXES" OF CERTAIN SCIENTIFIC NAMES OF THE TITLES OF CERTAIN BOOKS DEALT WITH IN "OPINIONS" 134—148 AND 150—160

Draft Direction

The following scientific names and the titles of the following books dealt with in *Opinions* 134—160 are hereby added to the *Official Lists* and *Official Indexes* noted below in accordance (a) with the General Directive issued to the International Commission by the Thirteenth International Congress of Zoology, Paris, 1948, that it should insert in the foregoing *Lists* and *Indexes* entries relating to scientific names dealt with in *Opinions* rendered prior to the Paris Session and (b) with the corresponding Directive issued by the Fourteenth International Congress of Zoology, Copenhagen, 1953, that similar entries relating to the titles of books dealt with in such *Opinions* should be made in the *Official List* and *Official Index* established by that Congress for the recording of such decisions :—

OPINION 134 : The title of the under-mentioned work with the annexed note is to be entered in the *Official List of Works Approved as Available for Zoological Nomenclature* :—Freyer (C. F.), *Neuere Beiträge zur Schmetterlingskunde*, 1833—1858, 7 vols. (species described as new in this work to be treated as having been described as belonging to the genus cited by Freyer at the head of the description and not to the genus in combination with the name of which the new specific name was actually cited).

OPINION 135 : The title of the under-mentioned paper is to be entered in the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* :—The paper by Jurine (L.) dealing with the generic classification of the Order Hymenoptera (Class Insecta) published anonymously in 1801 under the title “Nachricht von einem neuen entomologischen [sic] Werke des Hrn. Prof. Jurine in Geneve” ([anon.], 1801, *Intelligenz-Blatt der Literatur-Zeitung* 1801 : 161—165) (suppressed for nomenclatorial purposes under the Plenary Powers).

OPINION 136 (embodying also OPINION 11) : The title of the under-mentioned work is to be entered in the *Official List of Works Approved as Available for Zoological Nomenclature*, together with the accompanying note : Latreille (P. A.), 1810, *Considérations générales sur l'Ordre naturel des Animaux composant les Classes des Crustacés, des Arachnides et des Insectes avec un Tableau méthodique de leurs Genres disposés en Familles* (the entries in the *Tableau méthodique* at the end of this work are to be accepted as constituting the selection, under Rule (g) in Article 30, of type species for the genera concerned in those cases where Latreille there cited for the genus concerned one nominal species only but in no other case, it being understood that a selection so made is to be accepted as a valid selection only (a) if the nominal species so selected was one of those included in the genus by its original author and (b) if the type species for the genus concerned had not been determined under any of the earlier Rules in Article 30 or by a previous selection made under Rule (g)).

OPINION 137 : (1) The titles of the under-mentioned works are to be entered in the *Official List of Works Approved as Available for Zoological Nomenclature* :—(a) Fabricius (J. C.), 1807, “Die neueste Gattungs-Eintheilung der Schmetterlinge aus den Linneischen Gattungen *Papilio* und *Sphinx*” (Fabricius (J. C.), 1807, *Mag. f. Insektenk.* (Illiger) 6 : 277—295) ; (b) Hübner (J.), 1806—[1838], *Sammlung exotischer Schmetterlinge*, 3 vols. (vol. 2 completed, and vol. 3 published, by Geyer (C.)) (generic names in this work published before the publication in 1807 by Fabricius (J. C.) of the paper entitled “Die neueste Gattungs-Eintheilung . . .” not to take precedence over the names so published by Fabricius). (2) The following entry to be made in the *Official List of Specific Names in Zoology* : *achilles* Linnaeus, 1758, as published in the combination *Papilio achilles* (specific name of type species of *Morpho* Fabricius, 1807). (3) The following entries to be made in the *Official Index of Rejected and Invalid Generic Names in Zoology* :—the under-mentioned names as published on plates in Hübner's *Samml. exot. Schmett.* and as suppressed under the Plenary Powers :— (a) *Potamis* Hübner [1807] ; (b) *Rusticus* Hübner, [1807] ; (c) *Mancipium* Hübner, [1807].

OPINION 139 : (1) The following entries to be made in the *Official List of Specific Names in Zoology* :—(a) *pygmaeus* Linnaeus, 1767, as

published in the combination *Sirex pygmaeus* (specific name of type species of *Cephus* Latreille, [1802—1803]); (b) *abdominalis* Panzer, [1798], as published in the combination *Tiphia abdominalis* (specific name of type species of *Astata* Latreille, 1796). (2) The following entry to be made in the *Official Index of Rejected and Invalid Generic Names in Zoology*:—*Astatus* [Jurine], 1801 (name published in a work suppressed for nomenclatorial purposes under the Plenary Powers).

OPINION 140 : (1) The following entries to be made in the *Official List of Generic Names in Zoology*:—(a) *Merops* Linnaeus, 1758 (gender : masculine) (type species, by Linnean tautonymy (*Opinion* 16): *Merops apiaster*, Linnaeus, 1758) (Class Aves); (b) *Merope* Newman, 1838 (gender : feminine) (type species, by monotypy : *Merope tuber*, Newman, 1838) (Class Insecta, Order Mecoptera). (2) The specific names of the type species of the two genera specified in (1) above to be placed on the *Official List of Specific Names in Zoology*. (3) The following entries to be made in the *Official List of Family-Group Names in Zoology*:—(a) MEROPIIDAE (type genus : *Merops* Linnaeus, 1758); (b) MEROPEIDAE (type genus : *Merope* Newman, 1838) (family name formed under the Ruling given in *Opinion* 140).

OPINION 142 : The following entry to be made in the *Official List of Specific Names in Zoology* : *actaea* Esper, [1780], as published in the combination *Papilio actaea* (specific name of type species of *Satyrus* Latreille, 1810, by designation under the Plenary Powers).

OPINION 143 : (1) The generic name *Tingis* Fabricius, 1803 (gender : feminine) (type species, by selection by Latreille (1810) : *Cimex cardui* Linnaeus, 1758) to be entered on the *Official List of Generic Names in Zoology*. (2) The specific name *cardui* Linnaeus, 1758, as published in the combination *Cimex cardui* (specific name of type species of *Tingis* Fabricius, 1803) to be entered in the *Official List of Specific Names in Zoology*. (3) The family name TINGIDAE (type genus : *Tingis* Fabricius, 1803) (family name formed under the Ruling given in *Opinion* 143) to be entered in the *Official List of Family-Group Names in Zoology*.

OPINION 144 : (1) The name *Crabro* Geoffroy, 1762, as suppressed under the Plenary Powers for the purposes both of the Law of Priority and of the Law of Homonymy to be entered in the *Official Index of Rejected and Invalid Generic Names in Zoology*. (2) The following names to be entered in the *Official List of Specific Names in Zoology* :—(a) *cribraria* Linnaeus, 1758, as published in the combination *Vespa cribraria* (specific name of type species, by designation under the Plenary Powers, of *Crabro* Fabricius, 1775); (b) *lutea* Linnaeus, 1758, as published in the combination *Tenthredo lutea* (specific name of type species, by designation under the Plenary Powers, of *Cimbex* Olivier, 1790).

OPINION 146 : The specific name *hyale* Linnaeus, 1758, as published in the combination *Papilio hyale* (specific name of type species, by designation under the Plenary Powers, of *Colias Fabricius*, 1807) to be entered in the *Official List of Specific Names in Zoology*.

OPINION 150 : The following entry to be made in the *Official List of Works Approved as Available for Zoological Nomenclature* : Hübner (J.), 1816—[1826], *Verzeichniss bekannter Schmettlinge* [sic] (the dates, as determined in the light of the discovery of Hübner's manuscripts, to be accepted for the several portions of this work being as follows :— (1) pp. 1—16, 1816 ; (2) pp. 17—176, [1819] ; (3) pp. 177—208, [1820] ; (4) pp. 209—256, [1821] ; (5) pp. 257—304, [1823] ; (6) pp. 305—431, [1825] ; (7) *Anzeiger*, pp. 1—72, [1826]).

OPINION 151 : (1) The following entries to be made in the *Official Index of Rejected and Invalid Generic Names in Zoology* :—(a) *Lasius* Panzer, [1801—1802] (suppressed, under the Plenary Powers, for the purposes both of the Law of Priority and of the Law of Homonymy) ; (b) *Podalirius* Latreille, 1802 (suppressed, under the Plenary Powers, for the purposes of the Law of Priority but not for those of the Law of Homonymy). (2) The following entries to be made in the *Official List of Specific Names in Zoology* :—(a) *nigra* Linnaeus, 1758, as published in the combination *Formica nigra* (specific name of type species, by designation under the Plenary Powers, of *Lasius Fabricius*, [1804—1805]) ; (b) *pilipes* Fabricius, 1775, as published in the combination *Apis pilipes* (specific name of type species, by designation under the Plenary Powers, of *Anthophora Latreille*, 1803).

OPINION 153 : (1) The following entries to be made in the *Official List of Specific Names in Zoology* :—(a) *fuscicornis* Jurine, 1807, as published in the combination *Omalus fuscicornis* (specific name, by designation under the Plenary Powers, of *Bethylus Latreille*, [1802—1803]) ; (b) *formicarius* Latreille, [1804—1805], as published in the combination *Dryinus formicarius* (specific name of type species of *Dryinus Latreille*, [1804]).

OPINION 154 : The following entries to be made in the *Official List of Specific Names in Zoology* :—(a) *falcata* Poda, 1761, as published in the combination *Gryllus falcata* (specific name of type species, by designation under the Plenary Powers, of *Phaneroptera Serville*, 1831) ; (b) *lilifolia* Fabricius, 1793, as published in the combination *Locusta lilifolia* (specific name of type species of *Tylopsis Fieber*, 1853).

OPINION 155 : (1) The following entries to be made in the *Official Index of Rejected and Invalid Generic Names in Zoology* : (a) *Callimome* Spinola, 1811 (suppressed, under the Plenary Powers, for the purposes of the Law of Priority but not for those of the Law of Homonymy) ; (b) *Misocampe* Latreille, 1818 (suppressed, under the Plenary Powers,

for the purposes of the Law of Priority but not for those of the Law of Homonymy). (2) The specific name *bedeguaris* Linnaeus, 1758, as published in the combination *Ichneumon bedeguaris* (specific name of type species, by designation under the Plenary Powers, of *Torymus* Dalman, 1820) to be entered in the *Official List of Specific Names in Zoology*.

OPINION 156 : (1) The name *Cynthia* Fabricius, 1807 (type species, by selection by Westwood (1840) : *Papilio cardui* Linnaeus, 1758) to be entered in the *Official List of Generic Names in Zoology* with the following note attached to it :—(to be used by any specialist who considers the type species of this genus and that of *Vanessa* Fabricius, 1807, to be generically distinct from one another but, by direction given under the Plenary Powers, not to be used in preference to *Vanessa* Fabricius, 1807) ; (2) The under-mentioned names to be entered in the *Official List of Specific Names in Zoology* :—(a) *atalanta* Linnaeus, 1758, as published in the combination *Papilio atalanta* (specific name of type species of *Vanessa* Fabricius, 1807) ; (b) *cardui* Linnaeus, 1758, as published in the combination *Papilio cardui* (specific name of type species of *Cynthia* Fabricius, 1807).

OPINION 157 : The following names to be entered in the *Official List of Specific Names in Zoology* : (a) *viduatorius* Fabricius, [1804—1805], as published in the combination *Cryptus viduatorius* (specific name of type species of *Cryptus* Fabricius, [1804—1805]) ; (b) *enodis* Linnaeus, 1767, as published in the combination *Tenthredo enodis* (specific name of type species of *Arge* Schrank, 1802) ; (c) *pini* Linnaeus, 1758, as published in the combination *Tenthredo pini* (specific name of type species of *Diprion* Schrank, 1802).

OPINION 158 : The following name to be entered in the *Official List of Specific Names in Zoology* :—*migratorius* Linnaeus, 1758, as published in the combination *Gryllus migratorius* (specific name of type species, by designation under the Plenary Powers, of *Locusta* Linnaeus, 1758).

OPINION 159 : (1) The name *Ephialtes* Schrank, 1802 (as suppressed under the Plenary Powers for the purposes both of the Law of Priority and of the Law of Homonymy) to be entered in the *Official Index of Rejected and Invalid Generic Names in Zoology*. (2) The following names to be entered in the *Official List of Specific Names in Zoology* :—(a) *extensorius* Linnaeus, 1758, as published in the combination *Ichneumon extensorius* (specific name of type species, by designation under the Plenary Powers, of *Ichneumon* Linnaeus, 1758) ; (b) *instigator* Fabricius, 1793, as published in the combination *Ichneumon instigator* (specific name of type species, by designation under the Plenary Powers, of *Pimpla* Fabricius, [1804—1805]) ; (c) *manifestator* Linnaeus, 1758,

as published in the combination *Ichneumon manifestator* (specific name of type species, by designation under the Plenary Powers, of *Ephialtes* Gravenhorst, 1829).

II.—DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

3. *Issue of Voting Paper V.P.(O.M.)(54)4* : Concurrently with the submission to the Commission of the Draft *Direction* reproduced in the annexe to the note by the Secretary reproduced in paragraph 2 above, a Call for a Vote, numbered Voting Paper V.P.(O.M.)(54)4, was issued on 5th April 1954 under the One-Month Rule. In this Voting Paper each Member of the Commission was asked (1) to state whether he agreed "that, in conformity with the General Directive relating to the recording on the various *Official Lists* and *Official Indexes* of decisions in regard to particular names and particular books taken by the Commission prior to 1948, issued to the International Commission by the Thirteenth International Congress of Zoology, Paris, 1948, the entries recording such decisions taken in *Opinions* 134—148 and 150—160 in the Draft *Direction* annexed to the statement submitted by the Secretary simultaneously with the present Voting Paper, should be made, as proposed, in the *Official Lists* and *Official Indexes* concerned, and (2), if he did not so agree, as regards any given item, to indicate the item concerned.

4. *The prescribed Voting Period* : As the foregoing Voting Paper was issued under the One-Month Rule, the prescribed Voting Period closed on 5th May 1954.

5. *Particulars of the Voting on Voting Paper V.P.(O.M.)(54)4* : The state of the voting on Voting Paper V.P.(O.M.)(54)4 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)* :

Holthuis ; Lemche ; Vokes ; Hering ; Sylvester-Bradley ; Bonnet ; Dymond ; Mertens ; Cabrera ; Esaki ; Stoll ; Jaczewski ; Riley ; Pearson ; Hemming ; Bradley (J. C.) ; Boschma ;

(b) *Negative Votes* :

None ;

(c) *Voting Paper V.P.(O.M.)(54)4 was not returned by two (2) Commissioners* :⁷

do Amaral ; Hankó.

6. *Declaration of Result of Vote* : On 6th May 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(54)4, signed a Certificate that the Votes cast were as set out in paragraph 5 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

7. *Postponement of the addition to the " Official Lists " and " Official Indexes " of the Family-Group Names dealt with in " Opinions " 140 and 143* : On 12th June 1954 Mr. Francis Hemming, as Secretary, placed on the Commission's File

⁷ After the close of the Prescribed Voting Period Affirmative Votes were received from Commissioner do Amaral and Commissioner Hankó.

Z.N.(G.)67 the following Declaratory Minute postponing the placing on the *Official Lists* and *Official Indexes* of the Family-Group Names dealt in *Opinions* 140 and 143 respectively :—

Postponement of the addition to the “ Official Lists ” and “ Official Indexes ” of the Family-Group Names dealt with in “ Opinions ” 140 and 143 respectively

MINUTE dated 12th June 1954

By FRANCIS HEMMING, C.M.G., C.B.E.,

Secretary to the International Commission on Zoological Nomenclature

The proposed codification of the decisions taken by the Commission (a) in *Opinion* 140 (relating to the family names MEROPIDAE (Class Aves) and MEROPEIDAE (Class Insecta)) and in *Opinion* 143 (relating to the family name TINGIDAE (Class Insecta)) raises for the first time in a concrete fashion the problems involved in placing Family-Group names on the *Official Lists* and *Official Indexes* established by the Fourteenth International Congress of Zoology, Copenhagen, 1953, for the recording of such names. In preparing the Rulings required to give effect to the decisions in regard to the foregoing names taken by the Commission in its vote on Voting Paper V.P.(O.M.)(54)4, I have encountered considerable difficulties of various kinds. I hoped originally that, by a study of the relevant literature and by consultation with specialists in the groups concerned, it might be possible to resolve these difficulties on a routine basis, and it was for this reason that I did not complete and sign the *Direction* giving effect to the decision taken by the Commission in its vote on the foregoing Voting Paper immediately after the close of the Prescribed Voting Period on 5th May 1954.

2. In the investigations referred to above I have received great assistance from Dr. Ernst Mayr, Mr. N. D. Riley and Mr. D. E. Kimmins, and Dr. W. E. China, but in spite of the assistance so rendered I cannot feel that the difficulties involved in preparing the Ruling codifying the decisions taken by the Commission in the *Opinions* referred to above have been overcome to a degree sufficient to justify the inclusion in the Ruling to be rendered in pursuance of the vote taken on Voting Paper V.P.(O.M.)(54)4 of entries relating to the decisions taken in regard to the foregoing *Opinions*. I am of the opinion therefore that the questions involved in codifying the decisions given in these two *Opinions* will need to be resubmitted to the Commission.

3. In order to avoid any further delay in the rendering of the *Direction* embodying the decision taken by the Commission on Voting Paper V.P.(O.M.)(54)4 and incidentally also that taken on Voting Paper V.P.(O.M.)(54)5 (the Voting Paper concerned with the next following *Direction*), I hereby direct (1) that, pending a further decision being taken by the Commission in regard to the codification of the decisions embodied in *Opinions* 140 and 143, no entries are to be made in the *Official List of Family-Group Names in Zoology* or in the *Official Index of Rejected and Invalid Family-Group Names in Zoology* in respect of the Family-Group names dealt with in the foregoing *Opinions*, and (2) that the *Direction* embodying the decision taken by the Commission in its vote on Voting Paper V.P.(O.M.)(54)4 be now rendered forthwith, subject to the omission therefrom of the matters specified in (1) above.

8. On 12th June 1954, Mr. Hemming prepared the Ruling given in the present *Direction* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(O.M.)(54)4, subject to the omission therefrom, as prescribed in the Declaratory Minute by the Secretary dated 12th June 1954 reproduced in paragraph 7 of the present *Direction*, of decisions relating to the placing on the *Official List of Family-Group Names in Zoology* and on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* of the names dealt with in *Opinions* 140 and 143 respectively.

9. The following are the original references for the generic and specific names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Direction* :—

- abdominalis*, *Tiphia*, Panzer, [1798], *Faun. Ins. germ.* (53) : tab. 5
achilles, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 463
actaea, *Papilio*, Esper, [1780], *Die Schmett.* **1** (Bd 2) *Forts. Tag-schmett* : 37, pl. 57, figs. 1a ♂, 1b ♀
apiaster, *Merops*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 117
Astatus [Jurine], 1801, *Intell.-Bl. Lit.-Ztg* **1801** : 163
atalanta, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 478
bedeguaris, *Ichneumon*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 567
Callimome Spinola, 1811, *Ann. Mus. Hist. nat.*, Paris **17**(98) : 148
cardui, *Cimex*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 443

- cardui*, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10), **1** : 475
Crabro Geoffroy, 1762, *Hist. abrég. Ins. Paris*, **2** : 261
cribraria, *Vespa*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 573
Cynthia Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) **6** : 281
enodis, *Tenthredo*, Linnaeus, 1767, *Syst. Nat.* (ed. 12) **1(2)** : 922
Ephialtes Schrank, 1802, *Fauna boic.* **2(2)** : 316
extensorius, *Ichneumon*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 561
falcata, *Gryllus*, Poda, 1761, *Ins. Mus. graec.* : 52
formicarius, *Dryinus*, Latreille, [1804—1805], in Sonnini's Buffon, *Hist. nat. gén. partic. Crust. Ins.* **13** : 228
fuscicornis, *Omalus*, Jurine, 1807, *Nouv. Méth. class. Hyménopt* : 301
hyale, *Papilio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 469
instigator, *Ichneumon*, Fabricius, 1793, *Ent. syst.* **2** : 164
Lasius Panzer, [1801—1802], *Faun. Ins. germ.* (86) : tab. 16
lilifolia, *Locusta*, Fabricius, 1793, *Ent. syst.* **2** : 36
lutea, *Tenthredo*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 555
Mancipium Hübner, [1807], *Samml. exot. Schmett.* **1** : pl. [141]
manifestator, *Ichneumon*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 563
Merope Newman, 1838, *Ent. Mag.* **5(2)** : 180
Merops Linnaeus, 1758, *Syst. Nat.* (ed. 10), **1** : 117
migratorius, *Gryllus*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 432
Misocampe Latreille, 1818, *Nouv. Dict. Hist. nat.* (ed. 2) **21** : 213
nigra, *Formica*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 580,
pilipes, *Apis*, Fabricius, 1775, *Syst. Ent.* : 383
pini, *Tenthredo*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 556
Podalirius Latreille, 1802, *Hist. nat. Fourmis* : 430
Potamis Hübner, [1807], *Samml. oxet. Schmett.* **1** : pl. [79]
pygmaeus, *Sirex*, Linnaeus, 1767, *Syst. Nat.* (ed. 12) **1(2)** : 929
Rusticus Hübner, [1807], *Samml. exot. Schmett.* **1** : pls. [102],
 [104]
Tingis Fabricius, 1803, *Syst. Rhyng.* : 124
tuber, *Merope*, Newman, 1838, *Ent. Mag.* **5(2)** : 180
viduatorius, *Cryptus*, Fabricius, [1804—1805], *Syst. Piezat.* : 70

10. The following are the references for the selection of type species for nominal genera placed on the *Official List of Generic Names in Zoology* by the Ruling given in the present *Direction* :—

For *Tingis* Fabricius, 1803 : Latreille, 1810, *Consid. gén. Anim. Crust. Arach. Ins.* : 433

For *Cynthia* Fabricius, 1807 : Westwood, 1840, *Introd. Class. Ins.* 2 Syn. : 87

11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Direction* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Direction* shall be known as *Direction Four* (4) of the International Commission on Zoological Nomenclature.

DONE in London, this Twelfth day of June, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

122f.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 54. Pp. 653—664

DIRECTION 5

Addition to the *Official Lists* and *Official Indexes*
of certain scientific names dealt with in *Opinion 149*



LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
1954

Price Five Shillings and Sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN DIRECTION 5

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
Zoological Museum, Tring, Herts., England*)

President : Professor James Chester Bradley (*Cornell University, Ithaca, N.Y.,
U.S.A.*) (12th August 1953)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th
August 1953)

Secretary : Mr. Francis Hemming (*London, England*) (27th July 1948)

B. The Members of the Commission

(*Arranged in order of precedence by reference to date of election or of most recent
re-election, as prescribed by the International Congress of Zoology*)

Professor H. Boschma (*Rijksmuseum van Natuurlijke Historie, Leiden, The
Netherlands*) (1st January 1947)

Senor Dr. Angel Cabrera (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis Hemming (*London, England*) (27th July 1948) (*Secretary*)

Dr. Joseph Pearson (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th
July 1948)

Dr. Henning Lemche (*Universitetets Zoologiske Museum, Copenhagen, Denmark*)
(27th July 1948)

Professor Teiso Esaki (*Kyushu University, Fukuoka, Japan*) (17th April 1950)

Professor Pierre Bonnet (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh Riley (*British Museum (Natural History) London*) (9th
June 1950)

Professor Tadeusz Jaczewski (*Institute of Zoology, Polish Academy of Sciences,
Warsaw, Poland*) (15th June 1950)

Professor Robert Mertens (*Natur-Museum u. Forschungs-Institut Senckenberg,
Frankfurt a.M., Germany*) (5th July 1950)

Professor Erich Martin Hering (*Zoologisches Museum der Humboldt-Universität
zu Berlin, Germany*) (5th July 1950)

Senhor Dr. Afranio do Amaral (*S. Paulo, Brazil*) (12th August 1953) (*Vice-
President*)

Professor J. R. Dymond (*University of Toronto, Toronto, Canada*) (12th August
1953)

Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th
August 1953) (*President*)

Professor Harold E. Vokes (*Johns Hopkins University, Baltimore, Maryland,
U.S.A.*) (12th August 1953)

Professor Béla Hankó (*Békéscsaba, Hungary*) (12th August 1953)

Dr. Norman R. Stoll (*Rockefeller Institute for Medical Research, New York,
N.Y., U.S.A.*) (12th August 1953)

Mr. P. C. Sylvester-Bradley (*Sheffield University, Sheffield, England*) (12th
August 1953)

Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Nether-
lands*) (12th August 1953)

DIRECTION 5

ADDITION TO THE "OFFICIAL LISTS" AND "OFFICIAL INDEXES" OF CERTAIN SCIENTIFIC NAMES DEALT WITH IN "OPINION" 149

RULING : (1) The undermentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* as Names Nos. 267—287 respectively :—(a) *acervorum* Panzer, [1799], as published in the combination *Blatta acervorum* (specific name of type species of *Myrmecophilus* Berthold, 1827) ; (b) *aptera* Charpentier, 1825, as published in the combination *Forficula aptera* (specific name of type species of *Chelidura* Berthold, 1827) ; (c) *caerulans* Linnaeus, 1767, as published in the combination *Gryllus caerulans* (specific name of type species of *Sphingonotus* (emend. of *Sphingonotus*) Fieber, 1852) ; (d) *caerulescens* Linnaeus, 1758, as published in the combination *Gryllus caerulescens* (specific name of type species of *Oedipoda* Latreille, 1829) ; (e) *gigantea* Klug, 1820, as published in the combination *Proscopia gigantea* (specific name of type species of *Proscopia* Klug, 1820) ; (f) *glabra* Herbst, 1786, as published in the combination *Locusta glabra* (specific name of type species of *Gampsocleis* Fieber, 1852) ; (g) *gryllotalpa* Linnaeus, 1758, as published in the combination *Gryllus gryllotalpa* (specific name of type species of *Gryllotalpa* Latreille, [1802—1803]) ; (h) *maculicollis* Serville, 1831, as published in the combination *Gryllacris maculicollis* (specific name of type species of *Gryllacris* Serville, 1831) ; (i) *minor* Linnaeus, 1758, as published in the combination *Forficula minor* (specific name of type species of *Labia* Leach, 1815) ; (j) *monstrosus* Drury, [1773], as published in the combination *Gryllus monstrosus* (specific name of type species of *Schizodactylus* Brullé, 1835) ; (k) *obscura* Walker, 1869, as published in the combination *Tarraga obscura* (specific

name of type species of *Prophalangopsis* Walker, 1871) ; (l) *paradoxus* Latreille, [1802—1803], as published in the combination *Tridactylus paradoxus* (specific name of type species of *Tridactylus* Olivier, 1789) ; (m) *punctatissima* Bosc, 1792, as published in the combination *Locusta punctatissima* (specific name of type species of *Leptophyes* Fieber, 1852) ; (n) *religiosus* Linnaeus, 1758, as published in the combination *Gryllus religiosus* (specific name of type species of *Mantis* Linnaeus, 1767) ; (o) *rossia* Rossi, 1790, as published in the combination *Mantis rossia* (specific name of type species of *Bacillus* Le Peletier de Saint-Fargeau & Serville, 1825) ; (p) *serrata* Fabricius, 1793, as published in the combination *Locusta serrata* (specific name of type species of *Saga* Charpentier, 1825) ; (q) *siccifolius* Linnaeus, 1758, as published in the combination *Gryllus siccifolius* (specific name of type species of *Phyllium* Illiger, 1798) ; (r) *stridulus* Linnaeus, 1758, as published in the combination *Gryllus stridulus* (specific name of type species of *Psophus* Fieber, 1853) ; (s) *talpa* Burmeister, 1838, as published in the combination *Stenopelmatus talpa* (specific name of type species of *Stenopelmatus* Burmeister, 1838) ; (t) *talpoides* Walker, 1871, as published in the combination *Hemimerus talpoides* (specific name of type species of *Hemimerus* Walker, 1871) ; (u) *tenuis* Perty, 1832, as published in the combination *Mastax tenuis* (specific name of type species of *Eumastax* Burr, 1899).

(2) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* as Names Nos. 222 and 223 respectively :—(a) *Psopha* Fieber, 1852 (a junior homonym of *Psopha* Billberg, 1828) ; (b) *Sphingonothus* Fieber, 1852 (an Invalid Original Spelling for *Sphingonotus* Fieber, 1852).

I.—THE SUBJECT MATTER OF THE PRESENT
“ DIRECTION ”

The present *Direction* contains the fifth instalment of decisions taken by the International Commission on Zoological Nomenclature under the General Directive given to it by the Thirteenth International Congress of Zoology, Paris, 1948, that it should review the Rulings given in all its previous *Opinions* for the purpose of placing on the various *Official Lists* and *Official Indexes* scientific names dealt with in those *Opinions* and the titles of books similarly dealt with. The first and third instalment (*Directions* 1 and 3) contained decisions taken by the International Commission after reviewing the Rulings given in *Opinions* 182—194, the first thirteen *Opinions* included in volume 3 of the present work ; the second and fourth instalments (*Directions* 2 and 4) contained decisions taken after the review of *Opinions* 161—181 and 134—160, exclusive of *Opinion* 149, respectively. The present *Direction* contains the decisions taken by the Commission after reviewing the Ruling given in *Opinion* 149, which it was considered could more conveniently be dealt with as a separate unit owing to the large number of names involved. The present *Direction* concludes the review by the Commission of the Rulings given in *Opinions* 134—181, the *Opinions* comprised in volume 2 of the present work, save as regards certain individual items which, as explained in the *Directions* concerned, have been reserved by the Commission for individual treatment at a later date.

2. On 5th April 1954, Mr. Francis Hemming, as Secretary, submitted to the Commission the following note covering the annexed Draft of a *Direction* embodying his proposals for the codification, in accordance with the decision of the Paris Congress, of the Ruling given by the Commission in its *Opinion* 149 :—

“ **Opinion** ” 149 : Addition of names to the “ **Official Lists** ” and “ **Official Indexes** ” under the General Directive issued to the Commission by the Thirteenth International Congress of Zoology, Paris, 1948

NOTE by FRANCIS HEMMING, C.M.G., C.B.E.,
Secretary to the International Commission on Zoological Nomenclature

The Members of the Commission will have observed that in the covering note to Voting Paper V.P.(O.M.)(54)4 (submitted herewith)

I explained (in Note 9) that separate proposals would be submitted for the codification of the Ruling given in *Opinion* 149 (addition to the *Official List of Generic Names in Zoology* of the names of twenty-one genera of the Order Orthoptera (Class Insecta)). I did not then submit proposals relating to the foregoing *Opinion* partly because of the large number of names involved and partly because I had thought it desirable, before doing so, to consult Dr. B. P. Uvarov, C.M.G., D.Sc., F.R.S. (*Director, Anti-Locust Research Centre, London*) for the purpose of confirming that the specific name of the type species of each of the genera dealt with in the above *Opinion* was in every case the oldest available names (both objectively and subjectively) for the species concerned.

2. I have now been advised by Dr. Uvarov that the twenty-one specific names concerned are the oldest available for the species concerned, and I accordingly now submit herewith a Draft *Direction* for the placing of these names on the *Official List of Specific Names in Zoology*. In the same Draft *Direction* I have included a proposal that the name *Psopha* Fieber, 1852, should be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*. Reference to *Opinion* 149 will show (: 154—155) that this name is invalid, as it is a junior homonym of *Psopha* Billberg, 1828, and that it was for this reason that the variant form *Psophus* Fieber, 1853, was placed on the *Official List* in place of the foregoing name.

3. Once a decision has been taken on the Draft *Direction* now submitted, the codification of the *Opinions* included in volume 2 of the work "Opinions and Declarations" will have been completed, and it will be possible at once to prepare and publish the long-overdue Index Part for this volume.

*Annexe to the Note by the Secretary covering
Voting Paper V.P.(O.M.)(54)5*

**ADDITION TO THE " OFFICIAL LISTS " AND " OFFICIAL
INDEXES " OF THE NAMES DEALT WITH IN
" OPINION " 149**

Draft Direction

In accordance with the General Directive issued to the Commission by the Thirteenth International Congress of Zoology, Paris, 1948, that it should place on the appropriate *Official Lists* and *Official Indexes* scientific names dealt with in *Opinions* rendered prior to that date, the following names dealt with in *Opinion* 149 are hereby placed on the under-mentioned *Official Lists* and *Official Indexes* :—

(1) The under-mentioned specific names (being the names of the type species of the twenty-one genera, the names of which were placed on

the *Official List of Generic Names in Zoology* under *Opinion 149*) are hereby placed on the *Official List of Specific Names in Zoology* :— (a) *rossia* Rossi, 1790, as published in the combination *Mantis rossia* ; (b) *aptera* Charpentier, 1825, as published in the combination *Forficula aptera* ; (c) *tenuis* Perty, 1832, as published in the combination *Mastax tenuis* ; (d) *glabra* Herbst, 1786, as published in the combination *Locusta glabra* ; (e) *maculicollis* Serville, 1831, as published in the combination *Gryllacris maculicollis* ; (f) *gryllotalpa* Linnaeus, 1758, as published in the combination *Gryllus gryllotalpa* ; (g) *talpoides* Walker, 1871, as published in the combination *Hemimerus talpoides* ; (h) *minor* Linnaeus, 1758, as published in the combination *Forficula minor* ; (i) *punctatissima* Bosc, 1792, as published in the combination *Locusta punctatissima* ; (j) *religiosus* Linnaeus, 1758, as published in the combination *Gryllus religiosus* ; (k) *acervorum* Panzer, [1799], as published in the combination *Blatta acervorum* ; (l) *caerulescens* Linnaeus, 1758, as published in the combination *Gryllus caerulescens* ; (m) *siccifolius* Linnaeus, 1758, as published in the combination *Gryllus siccifolius* ; (n) *obscura* Walker, 1869, as published in the combination *Tarraga obscura* ; (o) *gigantea* Klug, 1820, as published in the combination *Proscopia gigantea* ; (p) *stridulus* Linnaeus, 1758, as published in the combination *Gryllus stridulus* ; (q) *serrata* Fabricius, 1793, as published in the combination *Locusta serrata* ; (r) *monstrosus* Drury, [1773], as published in the combination *Gryllus monstrosus* ; (s) *caerulans* Linnaeus, 1767, as published in the combination *Gryllus caerulans* ; (t) *talpa* Burmeister, 1838, as published in the combination *Stenopelmatus talpa* ; (u) *paradoxus* Latreille, [1802—1803], as published in the combination *Tridactylus paradoxus*.

(2) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* ; *Psopha* Fieber, 1852, (junior homonym of *Psopha* Billberg, 1828).

II.—DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

3. *Issue of Voting Paper V.P.(O.M.)(54)5* : Concurrently with the submission to the Commission of the Draft *Direction* reproduced in the annexe to the note by the Secretary reproduced in paragraph 2 above, a Call for a Vote, numbered Voting Paper V.P.(O.M.)(54)5, was issued on 5th April 1954 under the One-Month Rule. In this Voting Paper each Member of the Commission was asked (1) to state whether he agreed "that, in

conformity with the General Directive relating to the recording on the various *Official Lists* and *Official Indexes* of decisions in regard to particular names and particular books taken by the Commission prior to 1948, issued to the International Commission by the Thirteenth International Congress of Zoology, Paris, 1948, the entries recording such decisions taken in *Opinion* 149 specified in the Draft *Direction* annexed to the statement submitted by the Secretary simultaneously with the present Voting Paper, should be made, as proposed, in the *Official Lists* and *Official Indexes* concerned", and (2), if he did not so agree, as regards any given item, to indicate the item concerned.

4. *The Prescribed Voting Period* : As the foregoing Voting Paper was issued under the One-Month Rule the prescribed Voting Period closed on 5th May 1954.

5. *Particulars of the Voting on Voting Paper V.P.(O.M.)(54)5* : The state of the voting on Voting Paper V.P.(O.M.)(54)5 at the close of the prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following seventeen (17) Commissioners (arranged in the order in which Votes were received)* :

Holthuis ; Lemche ; Vokes ; Hering ; Bonnet ;
Dymond ; Sylvester-Bradley ; Mertens ; Cabrera ;
Esaki ; Stoll ; Jaczewski ; Riley ; Pearson ; Hemming ;
Bradley (J. C.) ; Boschma ;

(b) *Negative Votes* :

None ;

(c) *Voting Paper V.P.(O.M.)(54)5 was not returned by two (2) Commissioners*¹ :

do Amaral, Hankó.

¹ After the close of the Prescribed Voting Period affirmative Votes were received from Commissioner do Amaral and Commissioner Hankó.

6. *Declaration of Result of Vote*: On 6th May 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(54)5, signed a Certificate that the Votes cast were as set out in paragraph 5 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

7. *Minute by the Secretary regarding the addition to the "Official Index of Rejected and Invalid Generic Names in Zoology" of an Invalid Original Spelling for a name dealt with in "Opinion" 149*: When preparing the Ruling required to give effect to the vote taken by the Commission on Voting Paper V.P.(O.M.)(54)5, the Secretary on 1st June 1954 placed on the Commission's File (File Z.N.(G.) 67) relating to this case the following Minute dealing with a point which had not been expressly raised in the foregoing Voting Paper:—

Insertion in the forthcoming "Direction" codifying the Ruling given in "Opinion" 149 of a Ruling placing on the "Official Index of Rejected and Invalid Generic Names in Zoology" an Invalid Original Spelling of a generic name placed on the "Official List of Generic Names in Zoology" by the Ruling given in that "Opinion"

MINUTE by FRANCIS HEMMING, C.M.G., C.B.E.,
Secretary to the International Commission on Zoological Nomenclature

It will be necessary in the forthcoming *Direction* codifying the Ruling given in *Opinion* 149 to take account of a small consequential effect of a correction published in 1945 of an incorrect entry inadvertently included in the foregoing *Opinion* when first published in 1943. The facts in regard to this matter are the following. Twenty-one generic names in the Order Orthoptera (Class Insecta) were placed on the *Official List of Generic Names in Zoology* by the Ruling given in *Opinion* 149. Of these one was the generic name published by Fieber in 1852 with the defective spelling *Sphingonothus*. By an unfortunate oversight this name was included in the above *Opinion* under the foregoing incorrect spelling instead of under the emended spelling *Sphingonotus*. This oversight was corrected in a Supplementary Note published in 1945 (*Ops. Decls. int. Comm. zool. Nomencl.* 2 : (15)—(18)). The publication of the foregoing Note secured the substitution

on the *Official List* of the emended spelling *Sphingonotus* in place of the Invalid Original Spelling *Sphingonothus*.

2. The action described above completed all the action in this matter that was necessary in 1945 but, as the result of two decisions taken by the Thirteenth International Congress of Zoology, Paris, 1948, supplementary action in one regard is now called for. The decisions referred to above are :—(1) The Paris Congress established an *Official Index of Rejected and Invalid Generic Names in Zoology* and directed that all invalid names dealt with by the Commission in its *Opinions* should be inscribed in this *Index*. (2) The Congress further directed the Commission to review all *Opinions* previously rendered by it for the purpose of complying with the foregoing, and certain other, procedural decisions then taken. Under the above decisions the spelling *Sphingonothus*, rejected by the Commission as an Invalid Original Spelling for the name so published by Fieber in 1852, now falls automatically to be placed on the *Official Index* established by the Paris Congress.

8. On 3rd June 1954 Mr. Hemming prepared the Ruling given in the present *Direction* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(O.M.)(54)5, as clarified in one respect by the Minute reproduced in paragraph 7 above.

9. The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Direction* :—

- acervorum*, *Blatta*, Panzer, [1799], *Faun. Ins. germ.* (68) : tab. 24
aptera, *Forficula*, Charpentier, 1825, *Hor. Ent.* : 69
caerulans, *Gryllus*, Linnaeus, 1767, *Syst. Nat.* (ed. 12) **1**(2) : 701
caerulescens, *Gryllus*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 432
gigantea, *Proscopia*, Klug, 1820, *Hor. phys. Berol.* : 18
glabra, *Locusta*, Herbst, 1786, in Fuessly, *Arch. Ins.* **7** : 193
gryllotalpa, *Gryllus*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 428
maculicollis, *Gryllacris*, Serville, 1831, *Ann. Sci. nat.* **22**(86) : 139
minor, *Forficula*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 423
monstrosus, *Gryllus*, Drury, [1773], *Ill. nat. Hist.* **2** : index & 81
obscura, *Tarraga*, Walker, 1869, *Cat. Dermapt. Saltat. Brit. Mus.*
1 : 100
paradoxus, *Tridactylus*, Latreille, [1802—1803], in Sonnini's
 Buffon, *Hist. nat. gén. partic. Crust. Ins.* **3** : 276

- Psopha* Fieber, 1852, in Kelch, *Grundl. Orth. Obersches.* : 2
punctatissima, *Locusta*, Bosc, 1792, *Actes Soc. Hist. nat. Paris*
1(1) : 45
religiosus, *Gryllus*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 426
rossia, *Mantis*, Rossi, 1790, *Faun. etrusc.* **1** : 259
serrata, *Locusta*, Fabricius, 1793, *Ent. syst.* **2** : 43
siccifolius, *Gryllus*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 425
Spingonothus Fieber, 1852, in Kelch, *Grundl. Orth. Obersches.* : 2
stridulus, *Gryllus*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 432
talpa, *Stenopelmatus*, Burmeister, 1838, *Handb. Ent.* **2(2)** (No. 1) :
 721
talpoides, *Hemimerus*, Walker, 1871, *Cat. Dermapt. Saltat. Brit.*
Mus. **5** Suppl. *Dermapt. Salt.* : 2
tenuis, *Mastax*, Perty, 1832, *Del. Anim. artic. Brasil* (2) : 123

10. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Direction* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. The present *Direction* shall be known as *Direction Five* (5) of the International Commission on Zoological Nomenclature.

DONE in London, this Twelfth day of June, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
 on Zoological Nomenclature*

FRANCIS HEMMING

NOTICE TO SUBSCRIBERS

It is expected that this volume will be complete on the publication of three further Parts (Parts 55—57). Of these, Parts 55 and 56 will, it is anticipated, be devoted to two further Directions codifying decisions taken in Opinions included in the present volume. Part 57 will contain the Title Page and Indexes for this volume.

Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.,

Secretary to the Commission

VOLUME 2. Part 55. Pp. 665—684

DIRECTION 6

Addition to the *Official List of Family-Group Names in
Zoology* of the names MEROPIDAE (Class Aves) and
MEROPEIDAE and TINGIDAE (Class Insecta)



LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
1954

Price Ten Shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN DIRECTION 6

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
Zoological Museum, Tring, Herts., England*)

President : Professor James Chester Bradley (*Cornell University, Ithaca, N.Y.,
U.S.A.*) (12th August 1953)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th
August 1953)

Secretary : Mr. Francis Hemming (*London, England*) (27th July 1948)

B. The Members of the Commission

(*Arranged in order of precedence by reference to date of election or of most recent
re-election, as prescribed by the International Congress of Zoology*)

Professor H. Boschma (*Rijksmuseum van Natuurlijke Historie, Leiden, The
Netherlands*) (1st January 1947)

Senor Dr. Angel Cabrera (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis Hemming (*London, England*) (27th July 1948) (*Secretary*)

Dr. Joseph Pearson (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th
July 1948)

Dr. Henning Lemche (*Universitetets Zoologiske Museum, Copenhagen, Denmark*)
(27th July 1948)

Professor Teiso Esaki (*Kyushu University, Fukuoka, Japan*) (17th April 1950)

Professor Pierre Bonnet (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh Riley (*British Museum (Natural History) London*) (9th
June 1950)

Professor Tadeusz Jaczewski (*Institute of Zoology, Polish Academy of Sciences,
Warsaw, Poland*) (15th June 1950)

Professor Robert Mertens (*Natur-Museum u. Forschungs-Institut Senckenberg,
Frankfurt a.M., Germany*) (5th July 1950)

Professor Erich Martin Hering (*Zoologisches Museum der Humboldt-Universität
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Senhor Dr. Afranio do Amaral (*S. Paulo, Brazil*) (12th August 1953) (*Vice-
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Professor J. R. Dymond (*University of Toronto, Toronto, Canada*) (12th August
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Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th
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Professor Harold E. Vokes (*Johns Hopkins University, Baltimore, Maryland,
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Professor Béla Hankó (*Mezőgazdasági Muzeum, Budapest, Hungary*) (12th
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Dr. Norman R. Stoll (*Rockefeller Institute for Medical Research, New York,
N.Y., U.S.A.*) (12th August 1953)

Mr. P. C. Sylvester-Bradley (*Sheffield University, Sheffield, England*) (12th
August 1953)

Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The
Netherlands*) (12th August 1953)

DIRECTION 6

ADDITION TO THE "OFFICIAL LIST OF FAMILY-GROUP NAMES IN ZOOLOGY" OF THE NAMES MEROPIDAE (CLASS AVES) AND MEROPEIDAE AND TINGIDAE (CLASS INSECTA)

RULING :—(1) The under-mentioned family-group names dealt with in the *Opinions* severally specified below, are hereby placed on the *Official List of Family-Group Names in Zoology* as Name Nos. 1 to 3 respectively :—

- (a) MEROPIDAE Lesson, [1830] (type genus : *Merops* Linnaeus, 1758) (form for this family-name designated by the Ruling given in *Opinion* 140) (Class Aves) ;
- (b) MEROPEIDAE (emend. of MEROPIDAE) Tillyard, 1919 (type genus : *Merope* Newman, 1838) (form for this family-name designated by the Ruling given in *Opinion* 140) (Class Insecta, Order Mecoptera) ;
- (c) TINGIDAE (emend. of TINGINI) Costa (A.), 1838 (type genus : *Tingis* Fabricius, 1803) (form for this family-name designated by the Ruling given in *Opinion* 143) (Class Insecta, Order Hemiptera) ;

(2) The under-mentioned family-group names dealt with in the *Opinions* severally specified below are hereby placed on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* with the Name Nos. there specified :—

- (a) MEROPIDAE Tillyard, 1919 (an Invalid Original Spelling for MEROPEIDAE (*Opinion* 140)) (Name No. 1) ;
- (b) the under-mentioned family-group names for the family-group having *Tingis* Fabricius, 1803, as its type genus, being invalid names by reason of consisting of vernacular (French) words and

not Latinised words (*Opinion* 143) (Name Nos. 2 to 4 respectively) :—

- (i) TINGIDES Amyot & Serville, 1843 ;
- (ii) TINGIDITES Laporte, 1833 ;
- (iii) TINGIDITES Spinola, 1837 ;

(c) the under-mentioned family-group names for the family-group having *Tingis* Fabricius, 1803, as their respective type genera, being invalid names by reason of their having been formed in a manner inconsistent with the Ruling given in *Opinion* 143 (Name Nos. 5 to 14 respectively):—

- (i) TINGIDARIA Distant, 1903 ;
- (ii) TINGIDIDAE Fieber, 1861 ;
- (iii) TINGIDIDEA Flor, 1860 ;
- (iv) TINGIDINA Douglas & Scott, 1865 ;
- (v) TINGIDINAE Van Duzee, 1917 ;
- (vi) TINGIIDAE Baker (A.C.), 1922 ;
- (vii) TINGITARIA Stål, 1873 ;
- (viii) TINGITIDAE Stål, 1873 ;
- (ix) TINGITINA Stål, 1873 ;
- (x) TINGITINI Champion, 1897 ;

(d) the under-mentioned family-group name for the family-group having *Tingis* Fabricius, 1803, as its type genus, being an invalid name by reason of being an Invalid Original Spelling (Name No. 15) :—TINGINI Costa (A.), 1838 ;

(e) the under-mentioned family-group names for the family-group having *Tingis* Fabricius, 1803, as their respective type genera, being invalid names by reason of being junior homonyms of TINGIDAE (emend. of TINGINI) Costa (A.), 1838 (Name Nos. 16 and 17 respectively) :—

- (i) TINGIDAE Westwood, 1840 ;
- (ii) TINGIDAE Dohrn, 1859.

I.—THE STATEMENT OF THE CASE

On 12th June 1954, Mr. Francis Hemming, as Secretary to the International Commission on Zoological Nomenclature, executed a Minute (a) recalling that under the Regulations governing the *Official List of Family-Group Names in Zoology* and the corresponding *Official Index of Rejected and Invalid Family-Group Names in Zoology*, the name of any taxon belonging to that group having as its type genus a genus, the name of which has been placed upon the *Official List of Generic Names in Zoology* or upon the *Official Index of Rejected and Invalid Generic Names in Zoology* is to be placed upon the *Official List of Family-Group Names in Zoology* or, as the case may be, upon the corresponding *Official Index of Rejected and Invalid Family-Group Names in Zoology*, (b) stating that bibliographical and other difficulties had been encountered in preparing the Ruling necessary to give effect to certain decisions taken by the Commission in its vote on Voting Paper V.P.(O.M.)(54)4 in relation to the family-group names for taxa belonging to this group having *Merops* Linnaeus, 1758, *Merope* Newman, 1838, and *Tingis* Fabricius, 1803, as their respective type genera, (c) expressing the opinion that it was undesirable that the decision of the Commission on the numerous other matters covered by the foregoing Voting Paper should be postponed until the difficulties referred to above had been resolved, and (d) accordingly directing that, pending the further consideration by the International Commission of the family-group names referred to in (b) above, no entries in relation to those names be made either in the *Official List* or in the *Official Index*. The text of the Minute by Mr. Hemming summarised above has been published in *Direction 4* (: 648—649), the *Direction* embodying the decision taken by the Commission on the proposals dealt with in the Voting Paper referred to above (Voting Paper V.P.(O.M.)(54)4).

2. The further consultations in regard to the family-group names referred to in the preceding paragraph were concluded by the end of June 1954 and on 2nd July 1954, Mr. Hemming laid

before the Commission the following paper explaining the investigations which he had carried out in this matter and submitting proposals for dealing with the names in question :—

**Addition of certain family-group names dealt with in “ Opinions ”
140 and 143 to the “ Official List of Family-Group Names in
Zoology ” and to the “ Official Index of Rejected and Invalid
Family-Group Names in Zoology ” respectively**

By FRANCIS HEMMING, C.M.G., C.B.E.,

Secretary to the International Commission on Zoological Nomenclature

(Statement dated 2nd July 1954)

Included among the proposals for the codification of the Rulings given in *Opinions* 134 to 160, exclusive of *Opinion* 149, which I submitted to the Commission on 5th April last with Voting Paper V.P.(O.M.)(54)4 were proposals for codifying the decisions taken in *Opinion* 140 and *Opinion* 143 relating respectively to the family names based upon the generic names *Merops* Linnaeus, 1758 (Class Aves) and *Merope* Newman, 1838, (Class Insecta, Order Mecoptera) and upon the generic name *Tingis* Fabricius, 1803, (Class Insecta, Order Hemiptera).

2. When I came to prepare the detailed Ruling required to give effect to the vote on the foregoing Voting Paper, I found that the *Opinions* concerned did not contain references to the places where the family-group names in question had first been published. I accordingly sought the help of specialists in the groups concerned. The specialists whom I so consulted were :—(1) for MEROPIIDAE : Professor Ernst Mayr ; Colonel R. Meinertzhagen ; (2) for MEROPEIDAE : Mr. N. D. Riley ; Mr. D. E. Kimmins ; (3) for TINGIDAE : Dr. W. E. China. For the reasons explained in Paper No. Z.N.(S.) 844¹ relating to Voting Paper V.P.(O.M.)(54)11, which s being submitted to the Commission simultaneously with the present paper, it was found by the specialist consultants that in many cases it was a matter of great difficulty to trace the place where a given family-group name was first published and that, when a reference had been found, it was not possible to be certain that that reference was in fact a reference to the place where the name in question first appeared in the literature, however carefully the literature was searched. It was found also that the tracking-down of references for family-group names is an extremely laborious and time-consuming process. The grateful thanks of the Commission are due to the specialists who were so kind as to give their valuable time to searching for the references for the family-group names dealt with in the foregoing *Opinions*.

¹ The paper here referred to is reproduced in paragraph 2 of *Declaration* 18 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 6 : i—xx).

3. The Prescribed Voting Period for Voting Paper V.P.(O.M.)(54)4, the Voting Paper containing, *inter alia*, proposals for codifying the family-group names dealt with in *Opinions* 140 and 143 expired on 5th May 1954, but by the second week in June it had still not been possible to trace all the essential bibliographical references for the family-group names in question. Accordingly, on 12th June, 1954, I executed a Minute on File Z.N.(G.) 67, in which I, first, directed that the proposals relating to the codification of the Rulings in regard to family-group names given in the foregoing *Opinions* should be withdrawn for further examination, and, second, completed the *Direction* required to give effect to the vote taken by the Commission on the foregoing Voting Paper, other than that in respect of the questions which had been temporarily withdrawn. The effect of the decision given in the foregoing Minute was to permit the immediate despatch to the printer of the *Direction* referred to above (*Direction* 4²), while at the same time clearing the ground for the present re-submission to the Commission of proposals relating to the reserved question relating to the family-group names dealt with in *Opinions* 140 and 143.

4. I now submit revised proposals for the codification of the Rulings in regard to family-group names given in the foregoing *Opinions*. The proposals in question are set out in the Annexe to the present note. It will be noted (1) that a bibliographical reference (author, date, and place of publication) has now been added in respect of each name, and (2) that proposals have been included for the addition to the *Official Index of Rejected and Invalid Family-Group Names in Zoology* (a) of the name MEROPIDAE Tillyard, 1919, rejected in favour of MEROPEIDAE by the Ruling given in *Opinion* 140 and (b) of the numerous variant forms for the family-group name TINGIDAE which, without being listed, were rejected by the Commission by the Ruling given in *Opinion* 143. It was by inadvertence only that proposals on this last-named subject were not included in the recommendation submitted with Voting Paper V.P.(O.M.)(54)4.

5. Of the proposals now submitted, the only one which calls for any explanation is that in relation to the name TINGIDAE and its variants. First, it has to be noted that the two³ first family-group names to be published with the genus *Tingis* Fabricius, 1803, as the type genus of the nominal family-group so established were both French vernacular names. These were the names TINGIDITES Laporte, 1833, and TINGIDITES Spinola, 1837 (not "1840", as commonly, though incorrectly, stated, this latter date being that of the second edition of Spinola's *Essai*). Under the Copenhagen decisions (1953, *Copenhagen Decisions*

² *Direction* 4 was published in October 1954 (*Ops. Decls. int. Comm. zool. Nomencl.* 2 : 629—652).

³ Later, Commissioner Jaczewski pointed out that the name TINGIDES Amyot & Serville, 1843, was also a vernacular word and not a Latinised word (see paragraph 8 of the present *Direction*). It has accordingly so been recorded in the present *Direction* (see paragraph 4 of the Minute by the Secretary reproduced in paragraph 11 of the present *Direction*).

zool. Nomencl. : 35—36, Decision 53), the foregoing names are ineligible for consideration, since they are vernacular words and not Latinised words and their acceptance is not necessary in the interest of maintaining stability in the nomenclature of the group concerned. The third and next family-group name based upon the name *Tingis* Fabricius, 1803, was published in 1838. This was TINGINI Costa, 1838, a name published for a taxon of family rank. It was not until 1840 that the name was published by Westwood in the form TINGIDAE, the form approved by the Commission in *Opinion* 143. Westwood cited a number of synonyms, among them, TINGIDITES Laporte, 1833, but expressly treated himself as the author of this name (citing it as "TINGIDAE Westw."). He did not refer to TINGINI Costa. Under the decision by the Copenhagen Congress that the relative status of family-group names is to be determined by the principle of priority and that, where a name of Greek or Latin origin is incorrectly formed, it is to be emended, the family-group here under consideration ranks for the purposes of priority from 1838 and not from 1840 and is attributable to Costa and not to Westwood. Proposals for the form of notation to be adopted in making entries on either the *Official List* or the *Official Index* of family-group names in a case such as the present have been submitted as Point (2) of the four proposals placed before the Commission in Voting Paper V.P.(O.M.)(54)11⁴ submitted simultaneously with the present proposals.

ANNEXE

**Draft of a "Direction" for the codification of certain
family-group names dealt with in "Opinion"
140 and "Opinion" 143**

OPINION 140 : (1) † The following names to be placed on the *Official List of Family-Group Names in Zoology*:—

- (a) MEROPIDAE Lesson, [1830], *Traité d'Ornith.* : 236 (type genus : *Merops* Linnaeus, 1758) (form of family-name approved in *Opinion* 140)
- (b) MEROPEIDAE (emend. of MEROPIDAE made by Ruling given in *Opinion* 140) Tillyard, 1919, *Proc. linn. Soc. N.S.W.* **44** : 603 (type genus : *Merope* Newman, 1838).

(2) The following name to be placed on the *Official Index of Rejected and Invalid Family-Group Names in Zoology*: MEROPIDAE Tillyard, 1919, *Proc. linn. Soc. N.S.W.* **44** : 603 (type genus : *Merope* Newman, 1838) (an Invalid Original Spelling rejected in favour of MEROPEIDAE by the Ruling given in *Opinion* 140).

OPINION 143 : (1) The following name to be placed on the *Official List of Family-Group Names in Zoology*: TINGIDAE (emend. of TINGINI made by Ruling given in *Opinion* 143) Costa (A.), 1838, *Cimicum*

⁴ The decision taken by the Commission on Voting Paper V.P.(O.M.)(54)11 has been given in *Declaration* 18. See footnote 1.

Regni Neap. Centuria prima : 18 (name given to a family) (type genus : *Tingis* Fabricius, 1803) (first published in the form TINGIDAE by Westwood, 1840 (*Introd. mod. Class Ins.* 2 Syn. : 120), by whom this was treated as a new name).

(3) The following names, each having *Tingis* Fabricius, 1803, as the type genus of the family-group so named, to be placed on the *Official Index of Rejected Family-Group Names in Zoology*:—

- (a) TINGIDITES Laporte, 1833, *Mag. Zool.* 2 (Suppl.) : 4—47* (name given to a family) (invalid because a vernacular (French) word and not a Latinised word)
- (b) TINGIDITES Spinola, 1837, *Essai Ins. Hémipt.* : 68 (name given to a family) (invalid because a vernacular (French) word and not a Latinised word)

Notes:—(1) Spinola's work is often incorrectly treated as having been published in 1840. This is the date of publication of the second edition of Spinola's *Essai*, the first edition of which was published in 1837. (2) There is nothing whatever in Spinola's *Essai* to suggest that the name TINGIDITES, as there published, was anything but a new name.

- (c) the following names, each of which is a junior objective synonym of TINGIDAE (emend. of TINGINI) Costa, 1838 :—
 - (i) TINGIDARIA Distant, 1903, *Faun. Brit. Ind.*, Rhyng. 2 : 130 (name given to a tribe)
 - (ii) TINGIDES Amyot & Serville, 1843, *Hist. nat. Ins. Hémipt.* : 295 (name given to a family)
 - (iii) TINGIDINA Douglas & Scott, 1865, *Brit. Hemipt.* 1 Heteropt. : 23 (name given to a superfamily)
 - (iv) TINGIDINAE Van Duzee, 1917, *Univ. Calif. Publ. Ent.* 2 : 211† (name given to a subfamily)
 - (v) TINGIIDAE Baker (A.C.), 1922, *Science* 55 (1456) : 603 (an Invalid Emendation of TINGIDAE Westwood, 1840)
 - (vi) TINGINI Costa (A.), 1838, *Cimicum Regni Neap. Centuria prima* : 18 (an Invalid Original Spelling emended to TINGIDAE by Ruling given in *Opinion* 143)
 - (vii) TINGITARIA Stål, 1873, *K. Svensk. Vet.-Akad. Handl.*, Stockholm 11 (No. 2) : 118 (name given to a tribe)
 - (viii) TINGITIDAE Stål, 1873, *K. Svensk. Vet.-Akad. Handl.*, Stockholm 11 (No. 2) : 115

* The paper in which this name was first published is frequently cited under its title as "*Essai Class. Syst. Hémipt.*" instead of under the serial in which it was published.

† The whole of the volume in question was devoted to the *Catalogue of Hemiptera of America North of Mexico*.

- (ix) TINGITINA Stål, 1873, *K. Svensk. Vet.-Akad. Handl.*, Stockholm **11** (No. 2) : 116 (name given to a sub-family)
- (x) TINGITINI Champion, 1897, *Biol. centr.-amer.*, Heteropt. **2** : 5 (name given to a tribe).

3. *Registration of the present application:* On receipt, the present application was allotted the Registered Number Z.N.(G.) 67/6.

II.—THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. *Issue of Voting Paper V.P.(O.M.)(54)12 :* Concurrently with the submission to the Commission of the Draft *Direction* given in the Annexe to the note numbered Z.N.(G.) 67/6 by the Secretary reproduced in paragraph 2 above, a Call for a Vote, numbered Voting Paper V.P.(O.M.)(54)12, was issued on 2nd July 1954 under the One-Month Rule. In this Voting Paper each Member of the Commission was asked to state (1) whether he agreed that “ in conformity with the General Directive relating to the recording on the various *Official Lists* and *Official Indexes* of decisions in regard to particular names and particular books taken by the Commission prior to 1948, issued to the International Commission on Zoological Nomenclature by the Thirteenth International Congress of Zoology, Paris, 1948, the entries recording such decisions taken in relation to family-group names in *Opinions* 140 and 143 specified in the draft *Direction* annexed to the statement submitted by the Secretary simultaneously with the present Voting Paper, should be made, as proposed, in the *Official List*, and in the *Official Index* of Family-Group Names ”, and (2) if he did not so agree as regards any given item, to indicate the item concerned.

5. *The Prescribed Voting Period:* As the foregoing Voting Paper was issued under the One-Month Rule, the Prescribed Voting Period was due to close on 2nd August 1954. In view, however, of doubts which arose on the question whether two Members of the Commission (Bradley (J.C.) ; Dymond) had duly received the Voting Papers issued to them, the Secretary gave directions on

2nd August, 1954 that the Voting Period should be extended for a period sufficient to enable the Commissioners concerned to record their Votes on the duplicate Voting Papers then issued to them. Ultimately, the Voting Period in this case was closed on 11th September 1954.

6. *Comment received from Commissioner L. B. Holthuis:* On 3rd July 1954, Commissioner L. B. Holthuis addressed a letter, reproduced as Document 1 in the Annexe to the present *Direction*, raising objection to the placing on the *Official Index of Rejected and Invalid Names* of certain of the names so proposed to be placed. On 16th July 1954, the Secretary replied expressing the view that these objections were based upon a misunderstanding of the reasons on account of which the proposals in question had been put forward (Annexe, Document 2) and further explaining those proposals. Dr. Holthuis replied on 21st July 1954 giving reasons why he felt bound to adhere to the view expressed in his earlier letter (Annexe, Document 3). On 22nd July 1954, Mr. Hemming wrote, taking note of Dr. Holthuis's position in this matter (Annexe, Document 4).

7. *Comment received from Commissioner Harold E. Vokes:* On 7th July 1954, Commissioner Harold E. Vokes returned his completed Voting Paper, on which, after voting against the proposals submitted as (iii) (TINGIDINA) and (iv) (TINGIDINAE) in paragraph (2)(c) of the draft annexed to the Secretary's paper of 2nd July 1954, he added the following note: "I do not wish to suppress super-family or subfamily names as objective synonyms of family names". In acknowledging receipt (on 23rd July) of Commissioner Vokes's Voting Paper, the Secretary drew attention to the fact that the proposal submitted in regard to the names cited by Commissioner Vokes was not that they should be suppressed as objective synonyms of the family name TINGIDAE but that they should be rejected, and therefore placed on the *Official Index*, by reason of the fact that they were formed in a manner which was inconsistent with the Ruling given in *Opinion* 143 that at the family-name level the correct formation of the family-group name for the taxon based on the genus *Tingis* Fabricius, 1803 was TINGIDAE and therefore that the two names in question were incorrectly formed.

8. *Comment received from Commissioner T. Jaczewski:* On 17th July 1954, Commissioner T. Jaczewski, when returning his

completed Voting Paper, drew attention to two further family-group names based upon the generic name *Tingis* Fabricius, 1803, which he suggested should be placed on the *Official Index of Rejected and Invalid Family-Group Names in Zoology* at the same time as the names enumerated in paragraph (2) of the draft annexed to the Secretary's paper of 2nd July 1954 (reproduced in paragraph 2 of the present *Direction*):—

The list of junior objective synonyms to be rejected should be completed by the following entry: TINGIDIDAE Fieber (F.X.), 1861, *Europ. Hemipt.*: 24, 35, 116, this entry to be inserted between Entry (ii) and Entry (iii). This seems to be the oldest of that form of the name which I have been able to trace. In Flor (G.), 1860 (*Rhynchoten Livlands* 1: 65, 317) I find still another form of the name, namely, TINGIDIDEA Fieber, but I am unable to find the corresponding publication of Fieber. In Entry (ii) the name was given by Amyot et Serville not to a Family but to a "group". Moreover, it was treated as a vernacular French word, as is clearly evident when we compare the spelling of the name of the same level on page 303, namely, Brachyrhyquides.

9. *Particulars of the Voting on Voting Paper V.P.(O.M.)(54)12*: The state of the voting on Voting Paper V.P.(O.M.)(54)12 at the close of the Prescribed Voting Period was as follows:—

(a) *Affirmative Votes had been received from the following eighteen (18) Commissioners (arranged in the order in which Votes were received):*

Holthuis (save as respects the six items specified in (b) below); Hering; Vokes (save as respects the two items specified in (b) below); Cabrera; Esaki; Lemche; Hemming; Stoll; Sylvester-Bradley; Pearson; do Amaral; Mertens; Jaczewski; Bonnet; Boschma (save as respects the three items specified in (b) below); Riley; Bradley (J.C.); Dymond;

(b) *Negative Votes had been given by the following three (3) Commissioners in respect of the items severally specified below;*

Holthuis, in respect of the names TINGIDARIA, TINGIDES, TINGIDINA, TINGITARIA, TINGITINA, TINGITINI; Vokes in

respect of the names TINGIDARIA and TINGITARIA ;
Boschma in respect of the names TINGIDARIA, TINGI-
TARIA and TINGITINI⁵;

(c) *Voting Paper not returned, one (1) :*

Hankó.

10. Declaration of Result of Vote: On 11th September 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(54)12, signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

11. Supplementary Decisions on certain points: On 11th September 1954, Mr. Francis Hemming, as Secretary to the International Commission, reviewed the comments received from Professor Jaczewski during the Voting Period and the other material available in regard to the present case, and in the light of this review executed the following Minute giving a Supplementary Direction in regard to certain matters arising out of the foregoing review :—

**Family-Group Names based upon the generic name
“Tingis” Fabricius, 1803 : Supplementary Direction**

MINUTE dated 11th September 1954

by FRANCIS HEMMING, C.M.G., C.B.E.,

Secretary to the International Commission on Zoological Nomenclature

In his Minute dated 17th July 1954, Commissioner T. Jaczewski has drawn attention to two invalid forms of the family-group name for the

⁵ In notifying his reservation on the proposals submitted, Commissioner Boschma endorsed his Voting Paper as follows :—“except the names for Tingidae established for tribes”. Three names so established had been cited in the paper containing the proposals submitted for decision in Voting Paper V.P.(O.M.)(54)12, and these names have accordingly been entered in the present paragraph as having been voted against by Commissioner Boschma.

taxon of that group having the genus *Tingis* Fabricius, 1803, as its type species, namely (a) TINGIDIDAE Fieber (F.X.), 1861 ; (b) TINGIDIDEA Flor (G.), 1860, this name being attributed by Flor to Fieber. Commissioner Jaczewski has, however, been unable to trace any paper by Fieber containing this name, which must therefore be treated as having been a manuscript name of Fieber's at the time when it was published by Flor in 1860 or perhaps as a misprint for Fieber's name TINGIDIDAE at that time still a manuscript name.

2. In the same Minute, Commissioner Jaczewski (a) drew attention to the name TINGIDES Amyot & Serville, 1843, which had been entered (as Item (2) (c) (ii)) in the list of invalid forms of the family-group name for the taxon based upon the genus *Tingis* Fabricius, 1803, which it had been recommended in the Draft *Direction* set out in the Annexe to my paper Z.N.(G.) 67/6 of 2nd July 1954 should be placed upon the *Official Index of Rejected and Invalid Family-Group Names in Zoology*, and (b) furnished evidence to show that, in addition to being invalid as being formed in a manner inconsistent with the Ruling given in *Opinion* 143 (as had been pointed out in the paper referred to above), the name TINGIDES Amyot & Serville, 1843, was invalid by reason of having been published as a vernacular French word and not as a Latinised word.

3. In reviewing the material relating to the present case in preparation of the Ruling to be prepared for the forthcoming *Direction*, I have observed, with reference to the name TINGIDAE as published independently by Westwood in 1840 and by Dohrn in 1859, to which attention had been drawn by Dr. W. E. China (*British Museum (Natural History), London*) in the letter dated 3rd June 1954, in which he had furnished the information which formed the basis of the proposals in relation to *Opinion* 143 included in the Draft *Direction* annexed to my Paper of 2nd July 1954, that when I had omitted the foregoing names in compiling the list of invalidly formed family-group names based on the genus *Tingis* Fabricius, 1803, to be recommended for addition to the *Official Index of Rejected and Invalid Family-Group Names in Zoology*, I had by some inadvertence omitted to add the further recommendation that the names TINGIDAE Westwood, 1840, and TINGIDAE Dohrn, 1859, being junior homonyms of the name TINGIDAE (emend. of TINGINI) Costa, 1838, should on that account be placed on the *Official Index* referred to above, as is required under the General Directive issued to the Commission by the International Congress of Zoology that Rulings given by it are in any given case to cover the whole field involved in that case.

4. In the circumstances described above, I now, acting as Secretary to the International Commission, hereby direct that in the Ruling to be given in the present case :—(1) the names TINGIDIDEA Flor, 1860, and TINGIDIDAE Fieber (F.X.), 1861, be included among the invalidly formed family-group names for the taxon based upon the genus

Tingis Fabricius, 1803, to be entered upon the *Official Index of Rejected and Invalid Family-Group Names in Zoology*; (2) the name TINGIDES Amyot & Serville, 1843, previously proposed to be entered on the foregoing *Official Index* as an invalidly formed family-group name for the taxon based upon the genus *Tingis* Fabricius, 1803, be entered upon the said *Official Index* as being an invalid name by reason of its being a vernacular French word and not a Latinised word; (3) the names TINGIDAE Westwood, 1840, and TINGIDAE Dohrn, 1859, being junior homonyms of the name TINGIDAE (emend. of TINGINI) Costa, 1838, be entered as such upon the *Official Index of Rejected and Invalid Family-Group Names in Zoology*.

12. On 12th September 1954, Mr. Hemming prepared the Ruling given in the present *Direction* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(O.M.)(54)12, subject to the amplifications specified in the Supplementary *Direction* given in his Minute dated 11th September 1954 (reproduced in paragraph 11 of the present *Direction*).

13. The following are the original references for the family-group names placed on the *Official List* and *Official Index* for such names by the Ruling given in the present *Direction*:—

- MEROPEIDAE (emend. of MEROPIDAE made by the Ruling given in *Opinion* 143) Tillyard, 1919, *Proc. linn. Soc. N.S.W.* **44** : 603
- MEROPIDAE Lesson, [1830], *Traité d'Ornith.* : 236
- MEROPIDAE Tillyard, 1919, *Proc. linn. Soc. N.S.W.* **44** : 603
- TINGIDAE (emend. of TINGINI) Costa (A.), 1838, *Cimicum Regni Neap. Centuria prima* : 18
- TINGIDAE Westwood, 1840, *Introd. mod. Class. Ins.* **2** : 120
- TINGIDAE Dohrn, 1859, *Cat. Hemipt.*, Stettin : 42
- TINGIDARIA Distant, 1903, *Faun. Brit. Ind.*, Rhynch. **2** : 130
- TINGIDES Amyot & Serville, 1843, *Hist. nat. Ins. Hémipt.* : 295
- TINGIDIDAE Fieber (F.X.), 1861, *Europ. Hemipt.* : 24, 35, 116
- TINGIDIDEA Flor (G.), 1860, *Rhynchoten Livlands* **1** : 65, 317
- TINGIDINA Douglas & Scott, *Brit. Hemipt.* **1** Heteropt. : 23

- TINGIDINAE Van Duzee, 1917, *Univ. Calif. Publ. Ent.* **2** : 211
(commonly cited under the title of Van Duzee's paper as
" *Cat. Hemipt. Amer. N. of Mexico* ")
- TINGIDITES Laporte, 1833, *Mag. Zool.* **2** (Suppl.) : 4—47 (com-
monly cited under the title of Laporte's paper as " *Essai*
Class. Syst. Hémipt. ")
- TINGIDITES Spinola, 1837, *Essai Ins. Hémipt.* : 68
- TINGIIDAE Baker (A.C.), 1922, *Science* **55** (1456) : 603
- TINGINI Costa (A.), 1838, *Cimicum Regni Neap. Centuria prima* : 18
- TINGITARIA Stål, 1873, *K. Svensk. Vet.-Akad. Handl.*, Stockholm
11 (No. 2) : 118 (commonly cited as vol. 3 of Stål's " *Enum.*
Hemipt. ")
- TINGITIDAE Stål, 1873, *K. Svensk. Vet.-Akad. Handl.*, Stockholm
11 (No. 2) : 115
- TINGITINA Stål, 1873, *K. Svensk. Vet.-Akad. Handl.*, Stockholm
11 (No. 2) : 116
- TINGITINI Champion, 1897, *Biol. centr-amer.*, Heteropt. **2** : 5

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Direction* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Direction* shall be known as *Direction Six* (6) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Second day of September 1954,
Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

ANNEXE

Correspondence between Mr. Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, and Dr. L. B. Holthuis (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands) in regard to the proposed rejection of certain incorrectly-formed family-group names based upon the generic name "Tingis" Fabricius, 1803

DOCUMENT 1

Letter, dated 3rd July 1954, from Dr. L. B. Holthuis to Mr. Francis Hemming

*Family group names of " Opinions " 140 and 143
on the " Official List "*

I agree with the Draft Direction annexed to Voting Paper V.P.(O.M.)(54)12, except for the fact that I cannot see the use of having the names TINGIDARIA, TINGIDES, TINGIDINA, TINGITARIA, TINGITINA and TINGITINI placed on the *Official Index*. It seems to me that, since the Copenhagen Congress decided that no endings are prescribed for the units of the Family-Group other than the family and subfamily, these just cited names potentially are available for tribes, superfamilies etc. To place these names on the *Index* would preclude their use, quite unnecessary, for these categories of the family-group, which seems not right to me. My objection does not cover the names TINGIDINAE, TINGIIDAE, and TINGITIDAE, as these end in -inae or -idae and thus cannot be used but for subfamilies and families. The name TINGINI Costa, which is the unemended form of the emended and officially recognised name TINGIDAE, should, I believe be inserted in the *Index* with the express statement that this name cannot be used for a family or subfamily name, but that it is available as a name for other units within the family-group. This same procedure, of course, could be applied to the names TINGIDARIA, TINGIDES, TINGIDINA, TINGITARIA, TINGITINA and TINGITINI, but it seems more reasonable to leave these out altogether.

DOCUMENT 2

Letter, dated 16th July 1954, from Mr. Francis Hemming
Dr. L. B. Holthuis

*Incorrect variant forms of family-group names based on the
generic name "Tingis" Fabricius*

I am writing to you on this subject because it is, I think, clear from your letter of 3rd July that I did not succeed in making the meaning of my proposal sufficiently clear ; in consequence your vote in favour of excluding from the *Official Index* certain of the names which I had proposed should be added thereto.

(1) The name TINGIDES is a name given to a *family* as such and the objections raised in your letter do not therefore apply to it. I think therefore that it must have been included in your reservation by some accident.

(2) Two of the other names on your list—TINGIDINA and TINGITINA—were given to *subfamilies* as such, and, as the Congress has laid down a definite method for forming subfamily names, these names also fall outside the scope of your argument.

(3) I quite agree that the Congress has not at present agreed upon terminations for any categories in the family-group other than families and subfamilies, but I suggest that for the present purpose this is not relevant. What is relevant—and what seems to me to be the only thing that is relevant in the present context—is whether each of the family-group names with which we are here concerned is formed in such a way that, if the termination is left out of account, the name is formed in accordance with the Ruling given by the Commission in *Opinion* 143. To take an example, the question which we have to ask ourselves is whether a tribe name formed with the termination “-aria” and thus giving the name TINGIDARIA could possibly also give a family name TINGIDAE, the form for the name of this family prescribed in *Opinion* 143? The answer to this question is clearly “no” because the insertion of the letters “id” after the letter “g” and before the termination “-aria” clearly means that in the opinion of the author concerned the basic portion of the generic name is “tingid-” and not “ting-” and in consequence the name for a family in a group, of which the tribe was called TINGIDARIA would inevitably be TINGIDIDAE and not TINGIDAE. In other words, the tribe name TINGIDARIA is an incorrectly formed name, quite irrespective of the termination used, and ought therefore, as such, to be placed on the *Official Index*. Exactly similar considerations apply to the other incorrectly formed tribe names cited in your letter, namely, TINGITARIA and TINGITINI (both

of which would give the family name TINGITIDAE instead of TINGIDAE) and the two subfamily names mentioned in your letter, namely, TINGIDINA and TINGITINA, which would give the family names TINGIDIDAE and TINGITIDAE respectively. The other name, as has already been noted, that you mentioned in your letter, namely, TINGIDES, is merely an incorrectly formed version of the family name TINGIDAE.

DOCUMENT 3

**Letter, dated 21st July 1954 from Dr. L. B. Holthuis
to Mr. Francis Hemming**

Family-Group names based on "Tingis"

Thank you for your letter of July 16 on this subject. The points which you raise in it will be answered here in the same order.

(1) TINGIDES. I fully agree with you that this name cannot be used for a family, and if the *Official Index* was one of Family (and Subfamily) names only, I would have had no objection at all against inserting it in that *Index*. But since the possibility exists that in the family-group containing the family TINGIDAE a category will be named TINGIDES, I do not believe it advisable to place the name TINGIDES (even if it originally was proposed for a family) on the *Official Index of Family-Group Names in Zoology*. As I wrote in my previous letter, I am willing to vote for the insertion in the *Index* of this name (and of those mentioned under (2) and (3) below) if it is made sufficiently clear that they only are rejected as names for families (and subfamilies) and that they are available for other categories in the family-group.

(2) Exactly the same applies to TINGIDINA and TINGITINA.

(3) The names TINGIDARIA, TINGITARIA, and TINGITINI are rejected by you since they are formed of the basic portion Tingid- or Tingit- with the ending -aria or -ini. I do not see why these names could not have been formed of the basic portion Ting- and the endings -idaria, -itaria or -itini. (Would it not be nice to have a tribe TINGIDARIA with a subtribe TINGINARIA, similar to the family name TINGIDAE and the subfamily name TINGINAE?) Since the endings of tribes etc. are not prescribed by the Congress, I suppose that they can have any form, including those of -idaria, -itaria, and -itini.

I have carefully considered this question, but as yet I see no reason to change my vote.

DOCUMENT 4

Extract from letter, dated 22nd July 1954, from Mr. Francis Hemming to Dr. L. B. Holthuis

“ Tingis ”: family-group names

Your letter of 21st July. I note that you wish your earlier vote to stand in this matter. I will record your vote accordingly. Speaking personally, I think that it is a pity, for no-one can seriously suppose that anyone has ever published a family-group name with a termination beginning with the letter “ d ”. Still less is there any chance that anyone will propose the adoption of terminations so formed or that, if anyone did so, such a proposal would secure any support. There is, in my opinion, no room for doubt that the spellings in question in the present case are anything more than misspellings due to the authors concerned having formed those names in a manner inconsistent with the Ruling given by the Commission in *Opinion* 143 that at the family-name level the name belonging to the family-group based on the generic name *Tingis* Fabricius is to be spelled TINGIDAE.

Ref

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

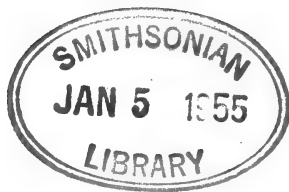
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 56. Pp. 685—696

DIRECTION 7

Determination of the gender to be attributed to certain generic names placed on the *Official List of Generic Names in Zoology* by the Rulings given in *Opinions* 134 to 181



LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
1954

Price Six Shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN DIRECTION 7

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*)

President : Professor James Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th August 1953)

Secretary : Mr. Francis Hemming (*London, England*) (27th July 1948)

B. The Members of the Commission

(*Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*)

Professor H. Boschma (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947)

Senor Dr. Angel Cabrera (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis Hemming (*London, England*) (27th July 1948) (*Secretary*)

Dr. Joseph Pearson (*Tasmania Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning Lemche (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso Esaki (*Kyushu University, Fukuoka, Japan*) (17th April 1950)

Professor Pierre Bonnet (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh Riley (*British Museum (Natural History) London*) (9th June 1950)

Professor Tadeusz Jaczewski (*Institute of Zoology, Polish Academy of Sciences, Warsaw, Poland*) (15th June 1950)

Professor Robert Mertens (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950)

Professor Erich Martin Hering (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950)

Senhor Dr. Afranio do Amaral (*S. Paulo, Brazil*) (12th August 1953) (*Vice-President*)

Professor J. R. Dymond (*University of Toronto, Toronto, Canada*) (12th August 1953)

Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953) (*President*)

Professor Harold E. Vokes (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (12th August 1953)

Professor Béla Hankó (*Mezőgazdasági Múzeum, Budapest, Hungary*) (12th August 1953)

Dr. Norman R. Stoll (*Rockefeller Institute for Medical Research, New York N.Y., U.S.A.*) (12th August 1953)

Mr. P. C. Sylvester-Bradley (*Sheffield University, Sheffield, England*) (12th August 1953)

Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (12th August 1953)

DIRECTION 7

DETERMINATION OF THE GENDER TO BE ATTRIBUTED TO CERTAIN GENERIC NAMES PLACED ON THE “ OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY ” BY THE RULINGS GIVEN IN “ OPINIONS ” 134 TO 181

RULING :—(1) The gender to be attributed to each of the under-mentioned generic names dealt with in the *Opinions* severally noted below is hereby determined as being the masculine gender :—(i) *Bacillus* St. Fargeau & Serville, 1825 (*Opinion* 149) ; (ii) *Bethylus* Latreille, [1802—1803] (*Opinion* 153) ; (iii) *Bracon* Fabricius, [1804—1805] (*Opinion* 162) ; (iv) *Cephus* Latreille, [1802—1803] (*Opinion* 139) ; (v) *Ceraphron* Jurine, 1807 (*Opinion* 174) ; (vi) *Cimbex* Olivier 1790 (*Opinion* 144) ; (vii) *Crabro* Fabricius, 1775 (*Opinion* 144) ; (viii) *Cryptus* Fabricius, [1804—1805] (*Opinion* 157) ; (ix) *Diprion* Schrank, 1802 (*Opinion* 157) ; (x) *Dryinus* Latreille, 1804 (*Opinion* 153) ; (xi) *Ephialtes* Gravenhorst, 1829 (*Opinion* 159) ; (xii) *Hemimerus* Walker, 1871 (*Opinion* 149) ; (xiii) *Ichneumon*, Linnaeus, 1758 (*Opinion* 159) ; (xiv) *Lasius* Fabricius, [1804—1805] (*Opinion* 151) ; (xv) *Leptophyes* Fieber, 1852 (*Opinion* 149) ; (xvi) *Myrmecophilus* Berthold, 1827 (*Opinion* 149) ; (xvii) *Pompilus* Fabricius, 1798 (*Opinion* 166) ; (xviii) *Proctotrupes* Latreille, 1796 (*Opinion* 178) ; (xix) *Psophus* Fieber, 1853 (*Opinion* 149) ; (xx) *Satyrus* Latreille, 1810 (*Opinion* 142) ; (xxi) *Schizodactylus* Brullé, 1835 (*Opinion* 149) ; (xxii) *Sphex* Linnaeus, 1758 (*Opinion* 180) ; (xxiii) *Sphingonotus* Fieber, 1852 (*Opinion* 149) ; (xxiv) *Stenopelmatus* Burmeister, 1838 (*Opinion* 149) ; (xxv) *Torymus* Dalman, 1820 (*Opinion* 155) ; (xxvi) *Tridactylus* Olivier, 1789 (*Opinion* 149).

(2) The gender to be attributed to each of the under-mentioned generic names dealt with in the *Opinions* severally noted below is hereby determined as being the feminine gender :—(i) *Ammophila* Kirby, 1798 (*Opinion* 180) ; (ii) *Anthophora* Latreille, 1803 (*Opinion* 151) ; (iii) *Arge* Schrank, 1802 (*Opinion* 157) ; (iv) *Argynnis*

Fabricius, 1807 (*Opinion* 161); (v) *Astata* Latreille, 1796 (*Opinion* 139); (vi) *Chelidura* Berthold, 1827 (*Opinion* 149); (vii) *Colias* Fabricius, 1807 (*Opinion* 146); (viii) *Euploea* Fabricius, 1807 (*Opinion* 163); (ix) *Euthalia* Hübner, [1819] (*Opinion* 167); (x) *Gampsocleis* Fieber, 1852 (*Opinion* 149); (xi) *Gryllacris* Serville, 1831 (*Opinion* 149); (xii) *Helicopsis* Fabricius, 1807 (*Opinion* 137); (xiii) *Labia* Leach, 1815 (*Opinion* 149); (xiv) *Locusta* Linnaeus, 1758 (*Opinion* 158); (xv) *Oedipoda* Latreille, 1829 (*Opinion* 149); (xvi) *Phaneroptera* Serville, 1831 (*Opinion* 154); (xvii) *Pimpla* Fabricius, [1804—1805] (*Opinion* 159); (xviii) *Pontia* Fabricius, 1807 (*Opinion* 137); (xix) *Proscopia* Klug, 1820 (*Opinion* 149); (xx) *Saga* Charpentier, 1825 (*Opinion* 149); (xxi) *Vanessa* Fabricius, 1807 (*Opinion* 156).

(3) The gender to be attributed to each of the under-mentioned generic names dealt with in the *Opinions* severally noted below is hereby determined as being the neuter gender:—(i) *Nymphidium* Fabricius, 1807 (*Opinion* 171); (ii) *Phyllium* Illiger, 1798 (*Opinion* 149).

I.—THE STATEMENT OF THE CASE

In *Direction* 3 (August 1954, *Ops. Decls. int. Comm. zool. Nomencl.* 3 : 417—426) the International Commission on Zoological Nomenclature, acting in compliance with the General Directive issued to it by the Thirteenth International Congress of Zoology, Paris, 1949 (1950, *Bull. zool. Nomencl.* 4 : 341) that the gender of each name placed on the *Official List of Generic Names in Zoology* should be specified in the entry to be made in that *List* in relation to that name, gave a Ruling regarding the gender to be attributed to the generic names placed on the foregoing *Official List* in the *Opinions* rendered prior to 1948 which form the first instalment of the *Opinions* included in volume 3 of the present series. The present *Direction*, which constitutes the second stage in the compliance by the Commission

with the General Directive referred to above, contains determinations of the gender to be attributed to each generic name placed on the *Official List* by the Commission in volume 2 of the present Series, with the exception of the gender to be attributed to six names, decisions on which (as explained in paragraph 5 below) have been temporarily postponed to permit of further examination of the issues involved. Subject to the exception noted above, the present *Direction* completes the action required to give effect to the General Directive of the Paris Congress in respect of all names placed on the *Official List* since 1936. The proposals on which the present *Direction* is based were contained in the following paper submitted to the Commission by Mr. Francis Hemming, Secretary to the Commission, on 2nd July 1954 :—

Gender to be attributed to the generic names placed on the " Official List of Generic Names in Zoology " by Rulings given in " Opinions " 134 to 181

By FRANCIS HEMMING, C.M.G., C.B.E.,
(Secretary to the International Commission on Zoological Nomenclature)

By its vote taken on Voting Paper V.P.(O.M.)(54)6, the Commission discharged, in relation to *Opinions* 182 to 194, the obligation laid upon it by the General Directive issued by the Thirteenth International Congress of Zoology, Paris, 1948, that it should inscribe on the *Official List of Generic Names in Zoology* the gender attributable to each generic name which either had already, or might thereafter, be placed upon that *Official List*. The action so taken completed the action required in connection with the *Opinions* comprised in Volume 3 of the work *Opinions and Declarations* and made it possible to arrange to send to the printer the concluding Part (Title Page, Indexes, etc.) of that volume. It is now necessary to take corresponding action in regard to the generic names placed on the *Official List* by the Rulings given in the *Opinions* (*Opinions* 134—181) comprised in volume 2 in the foregoing series.

2. Volume 2 of the work *Opinions and Declarations*, etc., contains 48 *Opinions*, in only 23 of which are generic names placed on the *Official List*. The number of names standardised in this way in those *Opinions* is 55. It is these names to which it is now necessary to attribute a gender. The names concerned, with particulars of the *Opinion* in which each was placed on the *Official List*, are shown in Annexe 1 to the present note.

3. Consideration was given in May 1951 to the arrangements to be made for obtaining expert advice for the formulation of proposals for the consideration of the Commission for the assignment of

a gender to each generic name placed on the *Official List* prior to the issue by the Thirteenth International Congress of Zoology of the General Directive referred to in paragraph 1 above. It was then decided by the International Trust for Zoological Nomenclature to secure for this purpose the services of a scholar engaged in teaching the Classical Languages at a leading University, and, after appropriate consultations the Trust then invited Mr. F. J. Lelievre (*London University, Bedford College*) to undertake this task. Mr. Lelievre accepted this invitation, and in August 1951 he furnished his Report on this subject. In this Report, Mr. Lelievre, after setting out the general principles by which he has guided himself in the task entrusted to him, indicated the gender which, in his opinion, was attributable to each of the 625 generic names concerned. Mr. Lelievre added explanatory notes as regards any name for which he considered this to be necessary.

4. The proposal now submitted to the Commission, which is based upon the Report received from Mr. Lelievre, is that, so far as concerns the generic names placed on the *Official List* in volume 2 of the work *Opinions and Declarations*, the gender to be attributed to those names shall be the gender specified in Column (2) of Annexe 1 to the present paper. In Annexe 2 are given notes furnished by Mr. Lelievre in his Report in regard to certain of the names concerned.

ANNEXE 1

Gender proposed to be inscribed in the "Official List of Generic Names in Zoology" in respect of the names placed on that "List" by Rulings given in "Opinions" 134 to 181

<i>Generic Name</i>	<i>Gender proposed to be assigned to name specified in Col. (1)</i>	<i>"Opinion" in which name specified in Col. (1) was placed on "Official List"</i>
<i>Morpho</i> Fabricius, 1807	Feminine	137
<i>Helicopsis</i> Fabricius, 1807	Feminine	"
<i>Pontia</i> Fabricius, 1807	Feminine	"
<i>Cephus</i> Latreille, [1802—1803]	Masculine	139
<i>Astata</i> Latreille, 1796	Feminine	"
<i>Satyrus</i> Latreille, 1810	Masculine	142
<i>Crabro</i> Fabricius, 1775	Masculine	144
<i>Cimbex</i> Olivier, 1790	Masculine	"
<i>Colias</i> Fabricius, 1807	Feminine	146
<i>Bacillus</i> St. Fargeau & Serville, 1825	Masculine	149
<i>Chelidura</i> Berthold, 1827	Feminine	"
<i>Eumastax</i> Burr, 1899	Masculine	"

Generic Name	Gender proposed to be assigned to name specified in Col. (1)	"Opinion" in which name specified in Col. (1) was placed on "Official List"
<i>Gampsocleis</i> Fieber, 1852	Feminine	149
<i>Gryllacris</i> Serville, 1831	Feminine	"
<i>Gryllotalpa</i> Latreille, [1802—1803]	Feminine	"
<i>Hemimerus</i> Walker, 1871	Masculine	"
<i>Labia</i> Leach, 1815	Feminine	"
<i>Leptophyes</i> Fieber, 1852	Masculine	"
<i>Mantis</i> Linnaeus, 1767	Masculine	"
<i>Myrmecophilus</i> Berthold, 1827	Masculine	"
<i>Oedipoda</i> Latreille, 1829	Feminine	"
<i>Phyllium</i> Illiger, 1798	Neuter	"
<i>Prophalangopsis</i> Walker, 1871	Masculine	"
<i>Proscopia</i> Klug, 1820	Feminine	"
<i>Psophus</i> Fieber, 1853	Masculine	"
<i>Saga</i> Charpentier, 1825	Feminine	"
<i>Schizodactylus</i> Brullé, 1835	Masculine	"
<i>Sphingonotus</i> Fieber, 1852	Masculine	"
<i>Stenopelmatus</i> Burmeister, 1838	Masculine	"
<i>Tridactylus</i> Olivier, 1789	Masculine	"
<i>Lasius</i> Fabricius, [1804—1805]	Masculine	151
<i>Anthophora</i> Latreille, 1803	Feminine	"
<i>Bethylus</i> Latreille, [1802—1803]	Masculine	153
<i>Dryinus</i> Latreille, 1804	Masculine	"
<i>Phaneroptera</i> Serville, 1831	Feminine	154
<i>Tylopsis</i> Fieber, 1835	Masculine	"
<i>Torymus</i> Dalman, 1820	Masculine	155
<i>Vanessa</i> Fabricius, 1807	Feminine	156
<i>Cryptus</i> Fabricius, [1804—1805]	Masculine	157
<i>Arge</i> Schrank, 1802	Feminine	"
<i>Diprion</i> Schrank, 1802	Masculine	"
<i>Locusta</i> Linnaeus, 1758	Feminine	158
<i>Ichneumon</i> Linnaeus, 1758	Masculine	159
<i>Pimpla</i> Fabricius, [1804—1805]	Feminine	"
<i>Ephialtes</i> Gravenhorst, 1829	Masculine	"
<i>Argynnis</i> Fabricius, 1807	Feminine	161
<i>Bracon</i> Fabricius, [1804—1805]	Masculine	162
<i>Euploea</i> Fabricius, 1807	Feminine	163
<i>Pompilus</i> Fabricius, 1798	Masculine	166
<i>Euthalia</i> Hübner, [1819]	Feminine	167
<i>Nymphidium</i> Fabricius, 1807	Neuter	171
<i>Ceraphron</i> Jurine, 1807	Masculine	174
<i>Proctotrupes</i> Latreille, 1796	Masculine	178
<i>Sphex</i> Linnaeus, 1758	Masculine	180
<i>Ammophila</i> Kirby, 1798	Feminine	"

ANNEXE 2

Notes furnished by Mr. F. J. Lelievre on the gender attributable to certain generic names published in volume 2 of the work "Opinions and Declarations"

(Ed. Note :—Greek words have been transliterated into the Latin alphabet for the purpose of the preparing of this paper.)

(1) *Prophalangopsis* and (2) *Tylopsis* : "Opsis" (Greek) feminine, forms feminine compound nouns in the Classical Greek period, "opsis" bearing the meaning "sight", "view". In later Greek, compound adjectives were formed derived from "opsis" in the sense "countenance", "aspect", "appearance". The affinity of the modern compounds is to the latter : the masculine gender is appropriate.

(2) *Eumastax* : The Greek word "mastax", feminine (= "jaw"). This word did not form any compounds so far as we know. *Eumastax* in Greek, however, would naturally be classed as an adjective, and on the analogy of compounds formed from words with a similar termination (e.g., *aulax*, *bolax*) this adjective would be used of the masculine as well as the feminine gender. As a noun-equivalent, *Eumastax* would bear the masculine genders.

(3) *Gampsocleis* : "kleis", feminine, "bolt", "hook", "collarbone", forms nouns and adjectives in composition. Both are restricted to the feminine gender in actual usage and I have therefore classed *Gampsocleis* as feminine.

(4) *Gryllotalpa* : "Talpa" is normally feminine, though one instance of its use in the masculine gender is quoted by Lewis and Short. The feminine gender should therefore be retained for the *Official List*.

(5) *Colias* : The attribution of the masculine gender to this word would rest principally on the fact that certain Greek adjectives in "-as", including those in "-ias", are to be found in the masculine as well as in the feminine gender, and that such adjectives used as nouns would normally be regarded as masculine. "*Colias*" belongs in origin to this general group of words, but as used in antiquity,

whether as a place name or as a cult-name of Aphrodite, it is feminine, and the modern zoological name is undoubtedly based on these uses.

(6) *Sphex* : Masculine strongly predominates. Liddell-Scott-Jones quotes only one clear instance of the feminine and this may be disregarded.

2. *Registration of the present application* : On receipt, the present application was allotted the Registered Number Z.N.(G.)67/7.

II.—THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

3. *Issue of Voting Paper V.P.(O.M.)(54)13* : Concurrently with the submission to the Commission of the Draft *Direction* given in Annexe 1 to the note numbered Z.N.(G.)67/7 by the Secretary reproduced in paragraph 1 above, a Call for a Vote, numbered V.P.(O.M.)(54)13, was issued on 2nd July 1954 under the One-Month Rule. In this Voting Paper each Member of the Commission was asked to state (1) whether he agreed that "in conformity with the General Directive relating to the recording on the *Official List of Generic Names in Zoology* of the gender of each name placed thereon prior to 1948, issued to the International Commission by the Thirteenth International Congress of Zoology, Paris, 1948, the gender specified in Column (2) in Annexe 1 to the note by the Secretary submitted simultaneously with the present Voting Paper should be entered in the foregoing *Official List* in respect of the names enumerated in that paragraph", and (2) if he did not so agree as regards any given item, to indicate the item concerned.

4. *The Prescribed Voting Period*: As the foregoing Voting Paper was issued under the One-Month Rule, the Prescribed Voting Period was due to close on 2nd August 1954. In view, however, of doubts which arose on the question whether two Members of the Commission (Bradley (J.C.); Dymond) had duly received the Voting Papers issued to them, the Secretary gave directions on 2nd August 1954 that the Voting Period be extended for a period sufficient to enable the Commissioners concerned to record their Votes on the duplicate Voting Papers then issued to them. Ultimately, the Voting Period in this case was closed on 11th September 1954.

5. *Withdrawal of proposals relating to the gender to be attributed to six generic names to permit of further examination of the issues involved*: During the Prescribed Voting Period for Voting Paper V.P.(O.M.)(54)13, comments and suggestions were received from four Commissioners (Cabrera; Esaki; Holthuis; Jaczewski) in regard to the gender to be attributed to individual names included in the list submitted to the Commission for decision. Altogether, the following six names were involved in these comments:—(1) *Prophalangopsis* Walker, 1871; (2) *Tylopsis* Fieber, 1853; (3) *Eumastax* Burr, 1899; (4) *Morpho* Fabricius, 1807; (5) *Mantis* Linnaeus, 1767; (6) *Gryllotalpa* Latreille, [1802—1803]. When on 2nd August 1954 Mr. Hemming, as Secretary to the Commission, reviewed the votes and comments received in relation to Voting Paper V.P.(O.M.)(54)13, he executed a Minute directing (a) that the proposals submitted in that Voting Paper in relation to the gender to be attributed to the six generic names specified above be withdrawn for further examination and (b) that, in consequence, the Vote on Voting Paper V.P.(O.M.)(54)13 be treated as being concerned only with the other names specified in the memorandum Z.N.(G.)67/7 submitted to the Commission simultaneously with the foregoing Voting Paper.

6. *Particulars of the Voting on Voting Paper V.P.(O.M.)(54)13*: At the close of the Prescribed Voting Period, extended in the manner specified in paragraph 4 of the present *Direction*, the state of the voting was as follows on the proposals submitted

in Voting Paper V.P.(O.M.)(54)13, exclusive of the proposals relating to the six names specified in paragraph 5 of the present *Direction* which, as there explained, had been withdrawn from the purview of the foregoing Voting Paper by the Minute executed by the Secretary to the Commission on 2nd August 1954 :—

- (a) *Affirmative Votes had been given by the following eighteen (18) Commissioners (arranged in the order in which Votes were received) :*

Hering ; Vokes ; Cabrera ; Esaki ; Jaczewski ; Lemche ; Hemming ; Stoll ; Sylvester-Bradley ; Pearson ; do Amaral ; Holthuis ; Mertens ; Bonnet ; Boschma ; Riley ; Bradley (J.C.) ; Dymond ;

- (b) *Negative Votes :*

None ;

- (c) *Voting Paper not returned, one (1) :*

Hankó.

7. *Declaration of Result of Vote :* On 11th September 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(54)13, signed a Certificate that the Votes cast were as set out in paragraph 6 above and declaring that the proposal submitted in the foregoing Voting Paper, exclusive of the proposals relating to the six names specified in paragraph 5 above, which, as there explained, had been withdrawn from the purview of the foregoing Voting Paper by the Minute executed by the Secretary on 2nd August 1954, had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

8. On 23rd September 1954 Mr. Hemming prepared the Ruling given in the present *Direction* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(O.M)(54)13.

9. The original references for the generic names, the gender attributable to which is determined by the Ruling given in the present *Direction*, are specified in the *Opinions* on which decisions on those names were severally taken by the Commission.

10. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Direction* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. The present *Direction* shall be known as *Direction Seven* (7) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Third day of September, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

Ref

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 57. Pp. 697—704

DIRECTION 8

Co-ordination of two entries on the *Official List of Specific Names in Zoology* made in *Directions 4 and 5* respectively with corresponding entries previously made by a Ruling given in *Opinion 299*



LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
1954

Price Three Shillings and Sixpence

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN DIRECTION 8

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*)

President : Professor James Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th August 1953)

Secretary : Mr. Francis Hemming (*London, England*) (27th July 1948)

B. The Members of the Commission

(*Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*)

Professor H. Boschma (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947)

Senor Dr. Angel Cabrera (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis Hemming (*London, England*) (27th July 1948) (*Secretary*)

Dr. Joseph Pearson (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning Lemche (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso Esaki (*Kyushu University, Fukuoka, Japan*) (17th April 1950)

Professor Pierre Bonnet (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh Riley (*British Museum (Natural History) London*) (9th June 1950)

Professor Tadeusz Jaczewski (*Institute of Zoology, Polish Academy of Sciences, Warsaw, Poland*) (15th June 1950)

Professor Robert Mertens (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a. M., Germany*) (5th July 1950)

Professor Erich Martin Hering (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950)

Senhor Dr. Afranio do Amaral (*S. Paulo, Brazil*) (12th August 1953) (*Vice-President*)

Professor J. R. Dymond (*University of Toronto, Toronto, Canada*) (12th August 1953)

Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953) (*President*)

Professor Harold E. Vokes (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (12th August 1953)

Professor Béla Hankó (*Mezőgazdasági Múzeum, Budapest, Hungary*) (12th August 1953)

Dr. Norman R. Stoll (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (12th August 1953)

Mr. P. C. Sylvester-Bradley (*Sheffield University, Sheffield, England*) (12th August 1953)

Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (12th August 1953)

DIRECTION 8

CO-ORDINATION OF TWO ENTRIES ON THE " OFFICIAL LIST OF SPECIFIC NAMES IN ZOOLOGY " MADE IN " DIRECTIONS " 4 AND 5 RESPECTIVELY WITH CORRESPONDING ENTRIES PREVIOUSLY MADE BY A RULING GIVEN IN " OPINION " 299

RULING :—(1) The entries on the *Official List of Specific Names in Zoology* made by Rulings given respectively in *Direction 4* and *Direction 5* in respect of the under-mentioned names are hereby deleted from the foregoing *List*, the names in question having previously been placed on that *List* as Names Nos. 146 and 147 respectively by the Ruling given in *Opinion 299* :—

(a) *migratorius* Linnaeus, 1758, as published in the combination *Gryllus migratorius* ; (b) *religiosus* Linnaeus, 1758, as published in the combination *Gryllus religiosus*.

(2) The Name Nos. on the *Official List of Specific Names in Zoology* allotted to the names placed thereon by Ruling (2)(x) to (2)(z) in *Direction 4* are hereby altered from Names Nos. 264 to 266 respectively to Name Nos. 263 to 265 respectively.

(3) The under-mentioned Name Nos. allotted to names placed on the *Official List of Specific Names in Zoology* by Ruling (1) in *Direction 5* are hereby varied as follows :—

(a) The Name Nos. allotted to the names specified in sub-sections (a) to (m) in the foregoing Ruling to be changed from Names Nos. 267 to 279 respectively to Name Nos. 266 to 278 respectively ; (b) The Name Nos. allotted to the names specified in sub-sections (o) to (u) in the foregoing Ruling to be changed from Name Nos. 281 to 287 respectively to Name Nos. 279 to 285 respectively.

I.—THE ORIGIN OF THE PRESENT “ DIRECTION ”

On 29th September 1954 Mr. Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, placed the following Minute on the Commission's Files Z.N.(G.)67/3 and Z.N.(G.)67/4 respectively :—

Overlap between Rulings given in “ Direction ” 4 and “ Direction ” 5 respectively and an earlier Ruling given in “ Opinion ” 299

MINUTE by Francis Hemming, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

It has always been recognised that, until the various *Official Lists* and *Official Indexes* are published in book form, complete with alphabetical indexes, there is a serious and growing risk that, as time goes on and additions are made to these *Lists* and *Indexes*, entries may be made in respect of names already so entered. Two such cases have just come to light. The circumstances are described below.

2. In view of the widespread and growing demand by zoologists for the publication of the *Official Lists* in book form and of the importance attached to this method for stabilising nomenclature by each of the last two International Congresses of Zoology (Thirteenth Congress, Paris, 1948 ; Fourteenth Congress, Copenhagen, 1953), the International Trust for Zoological Nomenclature recently decided, notwithstanding the difficulties of its financial position, to establish a post of Research Assistant for a period of one year, the duty of the zoologist to be appointed to this post being to clear up, under the directions of the Secretary to the Commission, all outstanding matters arising on the *Official Lists* (in particular the entries made in *Opinions* published in the period prior to 1937, when the bibliographical and other particulars now required in respect of entries made on the *Official List of Generic Names in Zoology* were not normally furnished in the *Opinions* by which names were placed on that *List*) and to prepare the *Official Lists* and *Official Indexes* for publication. After consultation with the Professors of Zoology at the constituent Colleges of London University, the Trust, on the nomination of Professor H. Munro Fox, F.R.S., Professor of Zoology at Bedford College, offered this post to Miss D. N. Noakes, B.Sc., by whom it was accepted. Miss Noakes has taken up her appointment and her first task has been to compile alphabetical card indexes of the names already placed

upon the *Official Lists* and *Official Indexes*. It was in so doing that she detected the overlap between *Directions* 4 and 5 on the one hand and *Opinion* 299 on the other hand, with which the present Minute is concerned.

3. The overlap so detected arose in the following way. In the Spring of this year I submitted to the Commission proposals designed to give effect, so far as *Opinions* 134—160 were concerned, to the General Directive issued to the Commission by the Thirteenth International Congress of Zoology, Paris, 1948, that it should complete the codification of decisions taken in *Opinions* rendered prior to 1948 by placing on the appropriate *Official Lists* and *Official Indexes* the names dealt with in those *Opinions*. The decision taken by the Commission on the foregoing proposals was embodied partly in *Direction* 4 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 2 : 629—652) and partly in *Direction* 5 (1954, *ibid.* 2 : 653—664). Included among these proposals were proposals for placing on the *Official List of Specific Names in Zoology* the specific names of the type species of the genera *Mantis* Linnaeus, 1767, and *Locusta* Linnaeus, 1758, the names of which had been placed on the *Official List of Generic Names in Zoology* by the Rulings given in *Opinions* 149 and 158 respectively. Both these species had originally been described by Linnaeus in 1758 in the genus *Gryllus* (as *Gryllus religiosus* and *Gryllus migratorius* respectively). In submitting the foregoing proposals in relation to these two names, I overlooked the fact that in a Report (1951, *Bull. zool Nomencl.* 2 : 112—118) which I had previously made for the purpose of clearing up all matters outstanding in regard to the subdivisions of the genus *Gryllus* Linnaeus, 1758, consequent upon the proposed application in full to that generic name of the provisions of *Opinion* 124, I had already recommended that the two foregoing names should be placed on the *Official List of Specific Names in Zoology* and that these proposals had been approved by the Commission. The decision so taken has since been embodied in *Opinion* 299 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 8 : 209—236). The consequence of this oversight on my part was that the specific name *migratorius* Linnaeus, 1758, was placed on the *Official List of Specific Names in Zoology* as Name No. 146 in *Opinion* 299 and as Name No. 263 in *Direction* 4 and that the name *religiosus* Linnaeus, 1758, was placed on the foregoing *List* as Name No. 147 in the above *Opinion* and as Name No. 280 in *Direction* 5. In the case of each of these names the later entry will need now to be deleted. At the same time it will be necessary to make consequential adjustments in the Name Nos. allotted to names placed on the *Official List of Specific Names in Zoology* subsequent to the making thereon of the first of the duplicate entries referred to above.

II.—THE DECISION TAKEN IN THE PRESENT CASE

2. On 2nd October 1954 Mr. Francis Hemming, Secretary to the Commission executed in duplicate the following Minute of Direction which he placed in the Commission's Files Z.N.(G.)67/3 and Z.N.(G.)67/4 dealing respectively with *Direction 4* and *Direction 5* :—

Measures to be taken to co-ordinate two entries on the " Official List of Specific Names in Zoology " made by Rulings included in " Direction " 4 and " Direction " 5 respectively with corresponding entries previously made by a Ruling given in " Opinion " 299

MINUTE OF DIRECTION by FRANCIS HEMMING,
C.M.G., C.B.E.

(*Secretary to the International Commission on Zoological Nomenclature*)

Having reviewed the circumstances in which, as set forth in my Minute of 29th September 1954, Rulings placing two names on the *Official List of Specific Names in Zoology* given in *Opinion 299* were inadvertently repeated at a later date, the first, relating to the name *migratorius* Linnaeus, 1758, as published in the combination *Gryllus migratorius*, in a Ruling given in *Direction 4*, the second, relating to the name *religiosus* Linnaeus, 1758, as published in the combination *Gryllus religiosus*, in *Direction 5*, I am of the opinion that the necessary corrections should be made as soon as possible but that, as these corrections relate only to the mechanics of the *Official Lists* and do not involve the consideration of any nomenclatorial issues, it is not necessary to submit this matter to the Commission for a fresh vote and that the required action can properly be taken by myself in virtue of the discretion vested in me by reason of holding the Office of Secretary to the International Commission.

2. Now, therefore, as Secretary to the International Commission, I hereby direct that the required adjustments be made by the following Rulings and that these Rulings be incorporated in a *Direction* to be rendered and published in Volume 2 of the work *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature*, the volume in which have been published *Direction 4* and *Direction 5*, the *Directions* now to be amended in the manner specified below :

[Here followed the three Rulings reproduced as Rulings (1) to (3) in the present *Direction*].

3. The present *Direction* shall be known as *Direction Eight (8)* of the International Commission on Zoological Nomenclature.

DONE in London, this Second day of October, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

VOLUME 2. Part 58. Pp. 705—718

DIRECTION 9

Determination of the gender to be attributed to six generic names placed on the *Official List of Generic Names in Zoology* by Rulings given in *Opinions* 137, 149 and 154



LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
1954

Price Six Shillings

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN DIRECTION 9

A. The Officers of the Commission

Honorary Life President : Dr. Karl Jordan (*British Museum (Natural History),
Zoological Museum, Tring, Herts., England*)

President : Professor James Chester Bradley (*Cornell University, Ithaca, N.Y.,
U.S.A.*) (12th August 1953)

Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th
August 1953)

Secretary Mr. Francis Hemming (*London, England*) (27th July 1948)

B. The Members of the Commission

(*Arranged in order of precedence by reference to date of election or of most recent
re-election, as prescribed by the International Congress of Zoology*)

Professor H. Boschma (*Rijksmuseum van Natuurlijke Historie, Leiden, The
Netherlands*) (1st January 1947)

Senor Dr. Angel Cabrera (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis Hemming (*London, England*) (27th July 1948) (*Secretary*)
Dr. Joseph Pearson (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th
July 1948)

Dr. Henning Lemche (*Universitetets Zoologiske Museum, Copenhagen, Denmark*)
(27th July 1948)

Professor Teiso Esaki (*Kyushu University, Fukuoka, Japan*) (17th April 1950)

Professor Pierre Bonnet (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh Riley (*British Museum (Natural History) London*) (9th
June 1950)

Professor Tadeusz Jaczewski (*Institute of Zoology, Polish Academy of Sciences,
Warsaw, Poland*) (15th June 1950)

Professor Robert Mertens (*Natur-Museum u. Forschungs-Institut Senckenberg,
Frankfurt a.M., Germany*) (5th July 1950)

Professor Erich Martin Hering (*Zoologisches Museum der Humboldt-Universität
zu Berlin, Germany*) (5th July 1950)

Senhor Dr. Afranio do Amaral (*S. Paulo, Brazil*) (12th August 1953) (*Vice-
President*)

Professor J. R. Dymond (*University of Toronto, Toronto, Canada*) (12th August
1953)

Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th
August 1953) (*President*)

Professor Harold E. Vokes (*Johns Hopkins University, Baltimore, Maryland,
U.S.A.*) (12th August 1953)

Professor Béla Hankó (*Mezőgazdasági Múzeum, Budapest, Hungary*) (12th
August 1953)

Dr. Norman R. Stoll (*Rockefeller Institute for Medical Research, New York,
N.Y., U.S.A.*) (12th August 1953)

Mr. P. C. Sylvester-Bradley (*Sheffield University, Sheffield, England*) (12th
August 1953)

Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The
Netherlands*) (12th August 1953)

DIRECTION 9

DETERMINATION OF THE GENDER TO BE ATTRIBUTED TO SIX GENERIC NAMES PLACED ON THE "OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY" BY RULINGS GIVEN IN "OPINIONS" 137, 149 AND 154

RULING :—The gender to be attributed to each of the under-mentioned generic names dealt with in the *Opinions* severally noted below is hereby determined as being the feminine gender :—(1) *Morpho* Fabricius, 1807 (*Opinion* 137); (2) *Eumastax* Burr, 1899 (*Opinion* 149); (3) *Gryllotalpa* Latreille, [1802—1803] (*Opinion* 149); (4) *Mantis* Linnaeus, 1767 (*Opinion* 149); (5) *Prophalangopsis* Walker, 1871 (*Opinion* 149); (6) *Tylopsis* Fieber, 1853 (*Opinion* 154).

I.—THE STATEMENT OF THE CASE

On 2nd July 1954, Mr. Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, submitted to the Commission proposals for determining the gender to be attributed to each of the generic names dealt with in the *Opinions* (*Opinions* 134—181) included in volume 2 of the work *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature*. These proposals were accompanied by a Voting Paper (V.P.(O.M.)(54)13), in which the Members of the Commission were asked (1) to signify whether they agreed that the gender attributed to the generic names in question in Mr. Hemming's paper was the correct gender, and (2), if as regards any given name, a Commissioner considered that some

other gender should be attributed to the name in question, to indicate the grounds on which that view was taken. During the Prescribed Voting Period for the foregoing Voting Paper, comments were received in regard to the gender to be attributed to six of the generic names included in the list annexed to Mr. Hemming's paper. At the close of the Voting Period on the foregoing Voting Paper, Mr. Hemming, as Secretary to the Commission, gave directions withdrawing the proposals which he had submitted in regard to the six names in question, in order to permit of the further examination of the issues involved. The six names which were withdrawn were the following:— (1) *Prophalangopsis* Walker, 1871 ; (2) *Tylopsis* Fieber, 1853 ; (3) *Eumastax* Burr, 1899 ; (4) *Morpho* Fabricius, 1807 ; (5) *Mantis* Linnaeus, 1767 ; (6) *Gryllotalpa* Latreille, [1802—1803]. The decision taken unanimously in regard to the remaining names was thereupon embodied in *Direction 7* (1954, *Ops. Decls. int. Comm. zool. Nomencl.* **2** : 685—696). The position as regards the six names excepted from the foregoing *Direction* was thereupon examined by Mr. Hemming in consultation with specialists in the groups concerned.

2. On 24th September 1954, Mr. Hemming submitted to the Commission a paper giving particulars of the consultations which he had carried out in regard to the six generic names in question and submitted a revised Voting Paper (V.P.(O.M.)(54)22) dealing with the gender to be attributed to these names. The first paragraph of this paper contained a recital of the circumstances leading up to the submission of the revised proposal. The remainder of the paper was as follows :—

Gender to be attributed to six generic names placed on the " Official List of Generic Names in Zoology " by Rulings given in " Opinions " included in volume 2 of that Series

By FRANCIS HEMMING, C.M.G., C.B.E.,
Secretary to the International Commission on Zoological Nomenclature

.

2. Two questions arise in considering the gender to be attributed to long-established generic names such as are most of those included in the foregoing list [i.e. the six names cited in paragraph 1 of the

present *Direction*, which had also been enumerated at the end of the first paragraph of Mr. Hemming's paper of 24th September 1954], namely:—(1) What is, or probably is, the correct gender to be attributed on linguistic grounds? (2) Is the gender ascertained under (1) above the gender commonly attributed to the generic names in question? For, if in any given case the answer to the second of these questions is in the negative, a *prima facie* case arises for action to be taken by the Commission in the interests of nomenclatorial stability. The position as regards each of the generic names specified in the preceding paragraph has accordingly been examined from each of the foregoing points of view.

3. Of the six generic names dealt with in the present paper, all are the names of genera of insects; five are the names of genera in the Order Orthoptera (*Prophalangopsis*; *Eumastax*; *Gryllotalpa*; *Mantis*; *Tylopsis*) and one is the name of a genus in the Order Lepidoptera (*Morpho*). The first four of the Orthoptera names were originally dealt with in *Opinion* 149 and the fifth (*Tylopsis*) in *Opinion* 154, the Lepidoptera name was dealt with in *Opinion* 137. The proposals in regard to all these names were submitted to the Commission by the International Congress of Entomology, Madrid, 1935, the Orthoptera names on the proposal of Dr. B. P. Uvarov, C.M.G., D.Sc., F.R.S. (*Director Anti-Locust Research Centre, London*), the Lepidoptera name on the proposal of Dr. Karl Jordan, Ph.D., F.R.S., Mr. N. D. Riley, C.B.E., and myself. At the outset of the review undertaken in regard to the gender to be attributed to the foregoing names, I accordingly consulted Dr. Uvarov in regard to the Orthoptera names, and Mr. Riley in regard to the Lepidoptera name. I myself also considered this latter name. The advice received from these specialists is annexed to the present paper: Annexe 1 (Reply received from Dr. Uvarov); Annexe 2 (Reply received from Mr. Riley). A note by myself is given in Annexe 3.

4. *The generic names "Prophalangopsis" and "Tylopsis"*: The Copenhagen Congress decided in favour of the feminine gender for compound words ending in "-opsis" (1953, *Copenhagen Decisions zool. Nomencl.*: 51, Decision 84(7)(b)(iii)). In the note annexed to my paper of 2nd July 1954 (Annexe 2, point (1)) Mr. Lelievre gave his reasons for considering that the gender to be accepted for the foregoing names should be masculine. Attention was drawn to these names by four Commissioners (Cabrerá; Esaki; Holthuis; Jaczewski) during the voting on Voting Paper V.P.(O.M.)(54)13, and it was for this reason that the proposals submitted in regard to these names were withdrawn for further examination. On the question of practice, Dr. Uvarov reports that these names were treated as feminine by their original authors and have been treated as such by all subsequent authors. It is recommended that the feminine gender be accepted for these names.

5. *The generic name "Eumastax"*: Mr. Lelievre reported (see Annexe 2(2) to my paper of 2nd July 1954¹) that the masculine gender should be attributed to this name. Commissioner Esaki considered that Decision 84(2)² applies to this name and that it should therefore be accepted as of the feminine gender. Dr. Uvarov reports that this latter gender was used both by the original author of the name and all subsequent authors, with only two casual and non-motivated exceptions. It is recommended that the feminine gender be accepted.

6. *The generic name "Mantis"*: Mr. Lelievre treated *Mantis* as a masculine word, but this was questioned by Commission Jaczewski. If, as was assumed by Mr. Lelievre, this name was derived from the Greek, this would be likely. Dr. Uvarov points out however that Linnaeus (1767), the author of this name, clearly treated it as a feminine word, listing in this genus fourteen species, all having names with feminine terminations. Included among these was *religiosa*, a name which in 1758 Linnaeus had published in combination with the name *Gryllus* and which he had then written as "*religiosus*". Dr. Uvarov adds that the acceptance of the feminine gender for this name is "the universal practice". In a case like this where there is no clear evidence by the original author as to the origin of a name, to treat it as having a gender different from that universally accepted for it, solely because, if it were derived from the Greek, that gender would be incorrect, would seem to me to be ritualistic and therefore undesirable. I accordingly recommend that the feminine gender be accepted for this name.

7. *The generic name "Gryllotalpa"*: Mr. Lelievre reported that the word "talpa" on which this name is based, is a feminine word but that Lewis & Short record a single usage of this name in the masculine gender. Commissioner Holthuis drew attention in this connection to the Copenhagen decision (Decision 84(4)) which provides that, where a generic name consists of a word of classical origin which is of common gender, the masculine gender shall be attributed to it. My view is that a casual use in the classical literature of a gender for a noun different from the gender otherwise attributed to that noun does not make that noun a word of common gender, but should be regarded rather as a mistake by the author who used the unusual gender for that word. Dr. Uvarov reports that the generic name *Gryllotalpa* has always been treated, without exception, as being of the feminine gender. I recommend that that gender be accepted for this name, as originally recommended by Mr. Lelievre.

8. *The generic name "Morpho"*: Mr. Lelievre reported that this name should be treated as being feminine in gender, but Commissioner

¹ See page 692 of the present volume.

² The Decision here referred to is to be found on page 49 of the work *Copenhagen Decisions zool. Nomencl.*

Jaczewski noted in his reply that it was not clear to him why this name should not be treated as masculine. Liddell & Scott however give only the feminine gender for this word which was the name in Classical Greek for Aphrodite of Lacedaemon. This appears to me to be decisive. On the question of usage Mr. Riley reports that practice has been more or less equally divided but that in some cases at least the masculine usage appears to have been non-motivated. He favours the acceptance of the feminine gender. As a lepidopterist, I hold the same view, being of the opinion that for the reason given above the correct gender for this name is the feminine gender and that there is nothing in the weight of usage in the literature which would justify the Commission considering the grant of exceptional treatment in this case.

9. *Recommendations now submitted:* Having now completed the review of the six generic names withdrawn from the purview of the vote on Voting Paper V.P.(O.M.)(54)13, I submit the following recommendation to the Commission, namely that, in the case of each of the six generic names enumerated below, the gender to be attributed thereto in the *Official List of Generic Names in Zoology* shall be the feminine gender :—(1) *Prophalangopsis* Walker, 1871 ; (2) *Tylopsis* Fieber, 1853 ; (3) *Eumastax* Burr, 1899 ; (4) *Mantis* Linnaeus, 1767 ; (5) *Grylotalpa* Latreille, [1802—1803] ; (6) *Morpho* Fabricius, 1807.

ANNEXE 1

Letter dated 18th August 1954, from
Dr. B. P. Uvarov, C.M.G., D.Sc., F.R.S.,
Director, Anti-Locust Research Centre, London

Here is the information you ask for in your letter of 17th August.

1. *Prophalangopsis* Walker, 1871 and *Tylopsis* Fieber, 1853.

Treated by the respective original authors and by all subsequent ones as of feminine gender.

2. *Eumastax* Burr, 1899.

Treated by the author as of feminine gender. This has been, and still is, the general practice, with only two casual and not motivated exceptions.

3. *Mantis* Linnaeus, 1758.

The original combination was *Gryllus Mantis religiosus*, but in the 12th ed. *Syst. Nat.*, 1767, Linnaeus regarded *Mantis* as a genus and listed under it 14 species, including *religiosa*, all with feminine terminations. This is the universal practice.

4. *Gryllotalpa* Latreille, 1802.

Treated always, without a single exception, as a feminine name.

I hope this information will be sufficient to ensure that the current practice is not altered.

ANNEXE 2

**Letter dated 27th August 1954,
from Mr. N. D. Riley, C.B.E., Keeper,
Department of Entomology, British Museum (Natural History), London**

Most of the specific names in this genus are nouns and therefore afford no guidance on the question of gender. A search through new names since Seitz (who cited a number of adjectival names in the feminine) shows that there has been no consistency on the part of authors in the matter of the gender of the name *Morpho*. Possibly there is a small majority usage for the masculine gender, but in the case of at least some authors the choice of gender was, no doubt, non-motivated. We can, I think, conclude that modern practice is about equally divided. As the name *Morpho* seems undoubtedly to be feminine, I am certainly in favour of the acceptance of that gender for it.

ANNEXE 3

**Note dated 17th August 1954,
by Francis Hemming, C.M.G., C.B.E. (London)**

The word *Morpho* is the name in Classical Greek for the goddess Aphrodite of Lacedaemon. It is therefore a feminine noun. Liddell & Scott give no other usage for this noun. The generic name *Morpho*

Fabricius, 1807, is, therefore, of the feminine gender. I should be strongly opposed to any suggestion, if such were made, that the Commission should accept any other gender for this generic name.

3. *Registration of the present application:* On receipt, the present application was allotted the Registered Number Z.N.(G.) 67/8.

II.—THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. *Issue of Voting Paper V.P.(O.M.)(54)22:* Concurrently with the submission to the Commission of the paper reproduced in paragraph 2 of the present *Direction*, a Call for a Vote, numbered V.P.(O.M.)(54)22, was issued on 24th September 1954 under the One-Month Rule. In this Voting Paper each Member of the Commission was asked to state (1) whether he agreed that, "in conformity with the General Directive relating to the recording on the *Official List of Generic Names in Zoology* of the gender of each name placed thereon prior to 1948 issued to the International Commission by the Thirteenth International Congress of Zoology, Paris, 1948, the gender specified in paragraph 9 of the note by the Secretary submitted simultaneously with the present Voting Paper should be entered in the foregoing *Official List* in respect of the names enumerated in that paragraph", and (2), if he did not so agree as regards any given item, to indicate the item concerned.

5. *The Prescribed Voting Period:* As the foregoing Voting Paper was issued under the One-Month Rule, the Prescribed Voting Period closed on 24th October 1954.

6. *Particulars of the Voting on Voting Paper V.P.(O.M.)(54)22:* At the close of the Prescribed Voting Period, the state of the voting

on the proposals submitted in Voting Paper V.P.(O.M.)(54)22 was as follows :—

- (a) *Affirmative Votes had been given by the following nineteen (19) Commissioners (arranged in the order in which votes were received) :*

Sylvester-Bradley ; Holthuis ; Lemche ; Hering ; Vokes ; Hemming ; Esaki ; Stoll ; Boschma ; Riley ; do Amaral³ ; Hankó ; Pearson ; Cabrera ; Dymond ; Mertens ; Bonnet ; Bradley (J.C.)⁴ ; Jaczewski.

- (b) *Negative Votes:*

None ;

- (c) *Voting Paper not Returned:*

None.

7. *Declaration of Result of Vote :* On 24th October 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(54)22, signed a Certificate that the Votes cast were as set out in paragraph 6 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

8. On 25th October 1954, Mr. Hemming prepared the Ruling given in the present *Direction* at the same time signed a Certificate that the terms of that Ruling were in complete accord with

³ For a note furnished by Commissioner do Amaral explaining the grounds on which he had voted see the Appendix to the present *Direction*, Document 1.

⁴ For a note furnished by Commissioner Chester Bradley explaining the grounds for his vote on the name *Mantis* Linnaeus, 1767, see the Appendix to the present *Direction*, Document 2.

those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(O.M.)(54)22.

9. The original references for the names to which a gender is attributed by the Ruling given in the present *Direction* have been furnished in the *Opinions* in which the generic names in question were severally placed on the *Official List of Generic Names in Zoology*.

10. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Direction* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. The present *Direction* shall be known as *Direction Nine (9)* of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Fifth day of October, Nineteen Hundred and Fifty-four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

APPENDIX

**Explanatory statements furnished by two Commissioners at the
time of voting on the present " Direction "**

DOCUMENT No. 1

**Letter dated 1st October 1954 from Dr. Afranio do Amaral
(Instituto Butantan, Sao Paulo, Brasil)**

I have at hand the copy of Z.N.(G.) 67/8 and the corresponding V.P.(O.M.)(54)22 which I am returning to you herewith, duly signed and dated.

As you will see from my copy of the Voting Paper, I am perfectly in agreement with assigning the feminine gender to the 6 generic names involved, my own reasons, as based on strictly linguistic arguments, being the following :

1. *Morpho*. This name, having been taken directly from the Greek *μορφώ*, —*ους(ή)*—with the original meaning of "Venus" or "beauty" (an attribute of Venus)—is obviously feminine. This Greek word was never used as masculine.

2, 3. *Prophalangopsis*, *Tyloptis*, two composite names of which the consequent element reproduces the Greek word *ὄψις*, —*εως(ή)*—with the original meaning of "figure", or "aspect"—are obviously feminine. I do not agree with Mr. F. J. Lelievre in considering both these names as compound adjectives. They are nouns although having adjectival value. Should we accept them as real compound adjectives we would be obliged to consider them as incorrect forms, respectively, of *Prophalangopticus* (-*a*, -*um* = *προφάλαγγοπτικός*, —*ή*, —*όν* in Greek) and *Tylopticus* (-*a*, -*um* = *τυλοπτικός*, —*ή*, —*όν* in Greek). This point raises again the issue I brought forward at the two last sessions of our Commission held during the 1953 Copenhagen Congress, namely, the necessity of a Recommendation being introduced as an Annexe into the future edition of our Code to the effect of advising zoologists—instead of forming any more names on the model of *Ancylostoma* (or *Agkylostoma*) and *Trypanosoma*, which in Linguistics are classified as *nomina rei* (with the meaning, respectively, of "hooked

mouth" and "borer-like body")—always to give them the corresponding and proper Latin adjectival termination ("desinence" -us, -a, -um), thus writing *Acylostomum*, *Trypanosomum*, etc., which would be considered as *nomina agentis* (adjectival nouns) with the proper meaning, respectively, of "the bearer (animal) of a hooked mouth", "the bearer (animal) of a borer-like body", etc. That Recommendation, besides preserving the purity of glottologic principles, would also serve the purpose of uniformity since it would avoid maintaining in a nomenclatural system a striking incoherence as that represented, for instance, by such incorrect names as *Ophiceras* (see *Opinion* 194) and *Lomatoceras* (see *Opinion* 198)—both of which are really *nomina rei*—side by side with *Tomocerus* (see *Opinion* 239) which is a correct *nomen agentis*.

At present we have neither authority to take the proper action of changing these names into their adjectival forms nor the necessary foundation to consider them as real adjectives.

4. *Eumastax*. I disagree from Mr. Lelievre's opinion for the same reasons as set forth in item 3. In Greek the name μάσταξ, —ακος, (ῆ), applicable both to the upper-lip (or mustache) and to an insect, was feminine. At present we have neither authority to take the proper action of changing this name into its adjectival form (*Eumastacicum* = *Ἐμμαστάκιον* in Greek) nor the necessary foundation to consider it as a real adjective.

5. *Mantis*. According to its applications, this name had two genders in Greek. It was masculine (ὁ μάντις) when it meant the "prophet", and feminine (ῆ μαντις) when it meant the "prophetess" or the "praying grass-hopper" as used by Dioscorides. Linnaeus most obviously used it in the acception of this insect and so it is feminine.

6. *Gryllotalpa*. I quite agree with that "a casual use in the classical literature of a gender for a noun different from the gender otherwise attributed to that noun does not make that noun a word of common gender, but should be regarded rather as a mistake by the author who used the unusual gender for that word". *Talpa* is feminine. So is its compound *Gryllotalpa*.

Based on the standing I am taking as a modest student of linguistic phenomena I shall answer by the affirmative the question (2) you make in item 2 of your Z.N.(G.) 67/8 : The gender ascertained in the light of linguistic grounds is the correct one and is above the gender commonly (or casually, with more reason) attributed to any word.

DOCUMENT No. 2

Statement, dated 13th October 1954, furnished by Professor J. Chester Bradley (Cornell University, Department of Entomology, Ithaca, N.Y., U.S.A.)

Mantis is unquestionably a masculine word in Greek usage ; the vote to treat it as a feminine is because it seems more important to conserve the universal usage of two centuries than it is to correct the error of the original author. Most Greek nouns ending in “-is” are feminine, and doubtless Linnaeus did not realize that “mantis” was an exception. The argument that there was no clear evidence as to the origin of Linnaeus’s name “Mantis” is tenuous, as shown by the following quotations from Liddell and Scott’s Greek-English Lexicon⁵, “II—a kind of locust or grasshopper, with long, thin fore feet, which are in constant motion, perh. *Mantis religiosa*, Linn.”. The primary meaning of the word is given as “one who divines”.

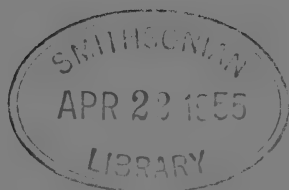
⁵ *Ed. Note* : The quotation here given by Professor Bradley is correct as regards the primary entry in Liddell and Scott. The position is not however so clear cut as that quotation suggests, for the above authorities also cite feminine usages of the word “mantis” by Aeschylus, Sophocles, Thucydides and Pindar. (Initialled F.H. 19th October 1954.)

**OPINIONS AND DECLARATIONS
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ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.
Secretary to the Commission

VOLUME 2. Part 59.
(Concluding Part)



LONDON :

Printed by Order of the International Trust for
Zoological Nomenclature
and

Sold on behalf of the International Commission on Zoological
Nomenclature by the International Trust at its Publications Office
41, Queen's Gate, London, S.W.7
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Price One Pound, Fifteen Shillings

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VOLUME 2. Part 59. Pp. 719—768

(Also published with this Part : Title Pages, and
preliminary matter noted below)

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Appendices ; Corrigenda ; Indexes

Also published with this Part : Title Page, Foreword ; and
Table of Contents for whole volume ; Title Page
and Foreword to Section B

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APPENDIX 1

Subsequent history of the interpretations of the "Règles" given by the International Commission on Zoological Nomenclature in eight "Opinions" published in the present volume

The *Opinions* comprised in the present volume include eight in which the International Commission on Zoological Nomenclature gave Rulings interpreting provisions in the *Règles*. That these Rulings were rendered in *Opinions* and not in *Declarations*, as is now the practice in such cases, is due to the fact that all the *Opinions* concerned were adopted by the Commission prior to the decision by the Thirteenth International Congress of Zoology, Paris, 1948, that in future the "Opinions" Series should be reserved for Rulings regarding the status of individual zoological names and of individual zoological books and that Rulings containing interpretations of the *Règles* should be rendered in the "Declarations" Series.

2. Since the adoption of the eight *Opinions* concerned, the *Règles* have been substantially revised and expanded by the Thirteenth (1948) and Fourteenth (1953) International Congresses of Zoology held in Paris and Copenhagen respectively. By the earlier of these Congresses all interpretative Rulings previously given by the Commission were incorporated into the *Règles*, either in their original, or in some modified, form. In each case therefore the Rulings given in the *Opinions* comprised in the present volume were the subject of action by the Paris Congress. Consequent upon the codification by the Paris Congress of these Rulings, the Commission repealed the *Opinions* concerned for all except historical purposes (1950, *Bull. zool. Nomencl.* 4 : 165—166, Decision 49). The Copenhagen Congress reviewed comprehensively certain major problems referred to it for decision by the Paris Congress, which had not felt able to reach definitive conclusions on these matters. The decisions so taken by the Copenhagen Congress involved modifications in certain respects in the provisions based upon the Rulings given in some of the *Opinions* now under consideration, which the Paris Congress had incorporated into the *Règles*. The present position of the interpretations given in each of these *Opinions* is set out briefly in the following paragraphs.

“ Opinion ” 138

3. *Opinion* 138 contained a Ruling as to the meaning to be attached to the expression “definite bibliographic reference” which at Budapest in 1927 the Tenth International Congress of Zoology had incorporated in the new Proviso (c) which it had then inserted in Article 25. Under this provision no name published after 31st December 1930 as a substitute for a previously published name acquired the status of availability unless the new name so published was accompanied by a “definite bibliographic reference” to the name so replaced. Between the meeting at Lisbon in 1935 of the Twelfth International Congress of Zoology and the meeting in Paris in 1948 of the Thirteenth International Congress experience had shown that this well-intentioned provision was unduly restrictive in character. Accordingly, at its Paris Session the Commission recommended that the foregoing provision should be replaced by one which merely required that, where, subsequent to the date cited above, a name is published as a substitute for a previously published name, the substitute name so published must, in order to be available under Article 25, be accompanied by “a reference to the name which is thereby replaced”. The Commission further recommended that, simultaneously with the adoption of the foregoing relaxation of Proviso (c) to Article 25, there should be inserted in the *Règles a Recommendation* urging authors, when publishing substitute names to cite “a full bibliographic reference to the name so replaced” (1950, *Bull. zool. Nomencl.* 4 : 69, Decision 6(1)). The foregoing recommendations were approved by the Paris Congress.

“ Opinion ” 141

4. *Opinion* 141 set out certain principles, which had previously been laid down inferentially in *Opinion* 133, for use in interpreting Article 4 relating to the naming of families and subfamilies. The Paris Congress decided that, while the Ruling given in this *Opinion* should be incorporated into the *Règles* provisionally, the existing provisions in relation to the naming of taxonomic units of the family-group were so inadequate that it was desirable that the whole subject should be reviewed, in consultation with interested specialists, with a view to the adoption by the next (Copenhagen,

1953) International Congress of Zoology of a comprehensive series of provisions relating to the naming of families and sub-families (1950, *Bull. zool. Nomencl.* **4** : 138—139). In accordance with the decision taken by the Paris Congress, extensive consultations on the subject of the reform of the provisions in the *Règles* relating to the naming of taxa of the family-group were carried out between the Paris and Copenhagen Congresses. The documents so received were placed on the Agenda for the Meetings of the Commission and the Colloquium arranged to be held at Copenhagen (1953, *Bull. zool. Nomencl.* **10** : 1—60). On the basis of the material so submitted the Copenhagen Congress inserted in the *Règles* a comprehensive series of provisions relating to the formation of family-group names, at the same time repealing the provisions (Articles 4 and 5) by which this matter had formerly been regulated, together with the interpretative Ruling originally given in the present *Opinion* which, as has been explained, had been provisionally inserted in the *Règles* by the Paris Congress (1953, *Copenhagen Decisions zool. Nomencl.* : 32—37, Decisions 43—58).

“ Opinion ” 145

5. *Opinion* 145 contained a Ruling that, where a name on being first published is published in a work later rejected for nomenclatorial purposes by the International Commission under its Plenary Powers, the fact that the name in question had been so published does not invalidate that name, if it is later re-published. The Ruling so given, extended so as to cover names first published in books rejected as invalid under the provisions of Article 25 as well as names first published in a book suppressed for nomenclatorial purposes under the Plenary Powers, was incorporated into the *Règles* by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4**: 165, Decision 47).

“ Opinion ” 147

6. *Opinion* 147 contained a Ruling applying to generic names the provisions in the second paragraph of Article 35 regarding specific names defining the differences in spelling between otherwise identical names which are to be ignored in determining

whether any two names are homonyms of one another. Previous to the adoption of the Ruling given in this *Opinion* no guidance was provided by the *Règles* in this matter. During the period between the Twelfth (Lisbon, 1935) International Congress of Zoology, when the Ruling given in this *Opinion* was adopted, and the Thirteenth (Paris, 1948) Congress, experience showed that it was desirable to amend the *Règles*, so as to restrict the area within which differences in spelling may be ignored for the purposes of generic homonymy. Accordingly, the Paris Congress, when incorporating into the *Règles* the Ruling given in this *Opinion*, limited its application to generic names which were (1) based upon the same Latin or Latinised word, (2) upon the same modern patronymic or (3) upon the same geographical or topographical term. In all other cases a difference of spelling of a single letter was to be sufficient to prevent any two names from being treated as homonyms of one another (1950, *Bull. zool. Nomencl.* 4 : 161—162, Decision 41). This matter was considered again by the Fourteenth (Copenhagen, 1953) Congress which decided to extend the single-letter Rule to those classes of generic names which had been excepted therefrom by the Paris decision (1953, *Copenhagen Decisions zool. Nomencl.* : 78, Decision 152).

“ Opinion ” 148

7. *Opinion* 148 contained Rulings relating to the principles to be observed in interpreting Articles 25 and 34 in relation to the availability of generic names published as emendations of, or as substitutes for, earlier generic names of the same origin and meaning. The Ruling so given was in three parts, and it will be convenient to consider separately the subsequent history of each of the problems so involved.

8. Ruling (1) in *Opinion* 148 gave an express interpretation on a question of principle which had been dealt with indirectly in an earlier *Opinion* (*Opinion* 120), an *Opinion* which was primarily concerned with an individual name. Under the Ruling given in *Opinion* 148 a generic name published as an emendation of a previously published such name takes automatically as its type species the species which is the type species of the genus, the name of which is so emended. This Ruling was incorporated into the *Règles* by the Paris (1948) Congress (1950, *Bull. zool.*

Nomencl. 4 : 148, Decision 20). At the same time the Paris Congress inserted in the *Règles* a provision making it clear that, while, as stated in the Ruling given in *Opinion* 148, a generic name and any emendation of that name are to be treated as synonyms of one another, an emendation, if sufficiently different in spelling from the original generic name not to be a homonym of that name, is eligible to be brought into use if the name in its original spelling is found to be invalid. This supplementary decision by the Paris Congress was clarified by the Fourteenth (Copenhagen, 1953) Congress in its general revision of Article 19 relating to the emendation of names (1953, *Copenhagen Decisions zool. Nomencl.* : 43—45, Decisions 71—72).

9. Ruling (2) in *Opinion* 148, like Ruling (1), formalised a decision previously given by the Commission indirectly in an *Opinion* (*Opinion* 125) which had primarily been concerned with an individual name. Under this Ruling a generic name is to be rejected if the same word had previously been published as an emendation of some other generic name. The Ruling so given was incorporated into the *Règles* by the Paris Congress (1950, *Bull. zool. Nomencl.* 4 : 163, Decision 44). The provision so adopted was included by the Copenhagen (1953) Congress in the comprehensive revision which it made of Article 19 relating to the emendation of names (*Copenhagen Decisions zool. Nomencl.* : 45, Decision 73(3)). It was made clear in that revision that this provision applies only to an Invalid Emendation, as contrasted with an Erroneous Subsequent Spelling (*ibid.* : 45, Decision 73(4)).

10. Ruling (3) in *Opinion* 148 dealt with a point which was bound up with the Ruling given in *Opinion* 147 and, when the Paris (1948) Congress amended the *Règles* when dealing with the Ruling given in that *Opinion*, the Ruling given in this portion of *Opinion* 148 ceased to be appropriate. It was accordingly decided not to incorporate it into the *Règles* (1950, *Bull. zool. Nomencl.* 4 : 163—164, Decision 45 (1)).

“ *Opinion* ” 164

11. In *Opinion* 164 the Commission gave a Ruling that, where two or more nominal genera are united on taxonomic grounds,

such action in no way affects the type species of the genera concerned. This Ruling was incorporated into the *Règles* by the Thirteenth (Paris, 1948) International Congress of Zoology (1950, *Bull. zool. Nomencl.* 4 : 157, Decision 35).

“ Opinion ” 168

12. In *Opinion* 168 the Commission amplified the Ruling previously given in *Opinion* 65 on the subject of the species to be accepted as the type species of a genus considered by later workers to have been based upon a misidentified type species. The Ruling given in this *Opinion*, which was adopted by the Commission at its Session held at Lisbon in 1935, did not, as the Commission then realised, cover the whole of the complicated problem involved and it was left for the next Congress to complete the provisions dealing with this matter. The problem of genera based upon misidentified type species was considered in detail by the Thirteenth International Congress of Zoology at Paris in 1948, when a comprehensive series of provisions was inserted in the *Règles* (1950, *Bull. zool. Nomencl.* 4 : 158—159, Decision 38). The provision so adopted was, in part, redrafted and in addition slightly amended, by the Fourteenth International Congress of Zoology, Copenhagen, 1953 (1953, *Copenhagen Decisions zool. Nomencl.* : 68—69, Decision 128).

“ Opinion ” 172

13. In *Opinion* 172 the Commission gave a Ruling that, where a type species is clearly selected in a literature-recording serial, that selection must be accepted for the purposes of Article 30. The Commission added that, in its view, this method of selecting type species for genera was undesirable. The Ruling so given was incorporated into the *Règles* by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 161, Decision 40).

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature*

24th January, 1955

APPENDIX 2

**Subsequent history of the questions dealt with in the
“Declarations” published in the
present volume**

At Paris in 1948 the Thirteenth International Congress of Zoology approved a proposal submitted by the International Commission that the “Declarations” Series should be reserved for Rulings interpreting individual provisions in the *Règles* (1950, *Bull. zool. Nomencl.* 4 : 136—137, Decision 9(2)) and it was in the light of this general decision that shortly afterwards the Congress turned to consider the question of incorporating into the *Règles* in suitable cases the resolutions adopted by the Commission which had so far been embodied in the form of *Declarations*. Of these, *Declarations* 1 to 9 embodied resolutions adopted by the Commission on various dates prior to 1935, while *Declarations* 10 to 12 embodied the three resolutions of a general character which had been adopted by the Commission at its Lisbon Session and which were published in the present volume. The action taken in regard to these three *Declarations* is set out below. Consequent upon the action so taken, the Commission repealed these *Declarations* for all except historical purposes (1950, *Bull. zool. Nomencl.* 4 : 171, Decision 59).

“Declaration” 10

The Commission decided that the Resolution embodied in *Declaration* 10 (a resolution regarding the importance of forming specialist groups for the study of the nomenclature of particular divisions of the Animal Kingdom), and also that embodied in *Declaration* 9 (a resolution stressing the importance of Universities including zoological nomenclature in their courses of general and systematic zoology), being of the nature of statements of policy, were not suitable for incorporation in the *Règles* (1950, *Bull. zool. Nomencl.* 4 : 166, Decision 50(3)).

“Declaration” 11

Declaration 11 embodied a Resolution in which the Commission had urged authors to indicate the systematic position

(Class and Order) when giving names to new taxonomic units. This Resolution was incorporated into the *Règles* as a *Recommandation* by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 170, Decision 58).

“ Declaration ” 12

In *Declaration* 12 the Commission amplified in certain respects a resolution prescribing a Code of Ethics to be observed by authors when replacing invalid names previously published by other authors which it had originally adopted at its Session held at Monaco in 1913 which in 1943 had been embodied in *Declaration* 1 (1943, *Ops. Decls. int. Comm. zool. Nomencl.* **1** : 1—6). At Paris in 1948 the Thirteenth International Congress of Zoology inserted in the *Règles* an Article embodying the Code of Ethics as laid down in *Declaration* 1 as amplified by *Declaration* 12 (1950, *Bull. zool. Nomencl.* **4** : 167, Decision 51).

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature*

24th January 1955

APPENDIX 3

**Notes on four individual cases of nomenclature on which
interim decisions only were given in "Opinions"
published in the present volume**

In the case of four of the *Opinions* published in the present volume, each dealing with the status of some name or book, the Ruling given in the *Opinion* published in the present volume is of an interim or provisional character only. Particulars of the action subsequently taken, or now proposed to be taken, in regard to each of these cases are given below.

"Opinion" 152

In *Opinion* 152 the Commission re-affirmed the Ruling given in its *Opinion* 28 that the pamphlet by J. W. Meigen published in 1800 with the title *Nouvelle Classification des Mouches à deux Ailes* was a nomenclatorially acceptable work, but added that, where specialists in the group concerned were of the opinion that the acceptance of any given new generic name published in this pamphlet would lead to greater confusion than uniformity, they should submit full particulars to the Commission with such recommendations for the suspension of the rules in that case as they might consider the most appropriate.

Towards the end of, and immediately after, the war of 1939—1945 several applications in regard to particular names were submitted to the Commission under the procedure laid down in *Opinion* 152, and in 1951 five of these applications were published in the Official Organ of the Commission (1951, *Bull. zool. Nomencl.* 2 : 129—160). Later, an application for the total suppression of the *Nouvelle Classification* for nomenclatorial purposes was received from Dr. Curtis W. Sabrosky (*U.S. Department of Agriculture, Agricultural Research Service, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.*). This application was published in April 1952 (*Bull. zool. Nomencl.* 6 : 131—141). By an arrangement made between the International

Trust for Zoological Nomenclature and the applicant a large number of separates of the foregoing paper were made available for communication to interested specialists, together with a questionnaire asking for views on the action which it was desirable should be taken by the Commission. A detailed summary of the replies received to this questionnaire was prepared by Dr. Sabrosky and was published in May 1954 (*Bull. zool. Nomencl.* 9 : 225—240). This case is at present under active consideration by the International Commission and it is hoped that a decision on it will be reached at an early date.

“Opinion” 160

The question raised in the application dealt with in *Opinion* 160 was whether the generic name *Anguina* Scopoli, 1777 (Class Nematoda) was an available name. This question turned on whether in his *Introductio ad Historiam Naturalem*, the work in which the foregoing name was first published, Scopoli had, as then required by Proviso (b) to Article 25, applied the “principles of binary nomenclature”. The general issue so involved was at that time *sub judice*, having been deferred for decision by the next International Congress of Zoology. In the present case therefore the Commission could not do more than rule that, for so long as generic names published by authors using a “binary”, though not a binominal, system of nomenclature were recognised as complying with the requirements of Article 25 of the *Règles*, the generic names published in 1777 in Scopoli's *Introductio*, including the name *Anguina*, should be accepted, but that the position would need to be re-examined if later it were to be decided to reject names published by authors not applying the binominal system of nomenclature.

The major issue involved in this case was decided at Paris in 1948 by the Thirteenth International Congress of Zoology, which, after ruling that the expression “nomenclature binaire” as used in the *Règles* had the same meaning as the expression “nomenclature binominale”, substituted the latter expression wherever the expression “nomenclature binaire” had hitherto appeared (1950, *Bull. zool. Nomencl.* 4 : 64—66, Decision 3). This decision cleared the ground for an examination by the

Commission of the question of the status of names first published in Scopoli's *Introductio* of 1777. On this question the Commission ruled that in the foregoing work Scopoli had duly complied with the requirements of Article 25 and therefore that new names published in that work possessed the status of availability. This decision was promulgated in *Opinion* 329 (1955, *Ops. Decls. int. Comm. zool. Nomencl.* 9 : 309—320). All that remained to be done in this case was therefore for the Commission to render an *Opinion* dealing expressly with the name *Anguina* Scopoli, 1777, and with the associated generic names *Anguillulina* and *Tylenchus* raised in the original application. A decision on these matters has now been taken by the Commission, and this has been embodied in *Opinion* 341 which is now in the press and will, it is expected, shortly be published as Part 8 of volume 10 of the present series.

“ Opinion ” 165

In this case the Commission had before it an application for the use of the Plenary Powers for the purpose of preventing the well-known generic name *Strymon* Hübner, 1818 (Class Insecta, Order Lepidoptera) from being overturned by a generic name which had hitherto been used in an entirely different sense. At the time of the consideration of this case at its Session held at Lisbon in 1935 the Commission had before it a supplementary note by the applicants, in which the view was expressed that the taxonomic considerations on which the application had been based might well be modified when this large genus next came to be revised. The applicants accordingly suggested that a decision on this case should be deferred, on the understanding that the door would be left open for the re-submission of this case at a later date. In the light of this supplementary communication the Commission, as an interim measure, gave a Ruling in *Opinion* 165 that the need for the use of the Plenary Powers had not been established.

A revised application has now been received in this case and has been allotted the Registered Number Z.N.(S.) 802. It is hoped that this application will be published in the *Bulletin of Zoological Nomenclature* at an early date.

“ Opinion ” 170

Opinion 170 is concerned with one of a number of cases in which a large body of hymenopterists had asked the Commission to use its Plenary Powers for the purpose of promoting stability in the nomenclature of the Order Hymenoptera (Class Insecta). The request submitted in the present case was that the Commission should use its Plenary Powers for the purpose (a) of suppressing the generic names *Hylaeus* Fabricius, 1793, and *Prosopis* Fabricius, [1804—1805], and (b) of validating the name *Prosopis* Jurine, 1807, with *Sphex signata* Panzer, [1798], as type species.

The proposal submitted in this case was approved by the Commission at its Lisbon Session, subject to its being advertised for a period of one year before an *Opinion* was rendered setting out the decision so taken. At the same time the Commission conferred upon the President and the new Secretary, when elected, Plenary Powers to act on its behalf in regard to this and other cases on which similar provisional decisions had then been taken. The issue of the Public Notice so prescribed elicited considerable objection to the use of the Plenary Powers in this case. When these objections came to be examined by the President and the Secretary, those Officers took the view that the Plenary Powers ought not be used in the present case without a further and more detailed examination of the issues involved. Accordingly, under the Plenary Powers conferred jointly upon them by the Commission at its Lisbon Session, those Officers gave a direction that, as an interim measure, an *Opinion* should be prepared and rendered, setting out the history of this case, as summarised above, and appealing to interested specialists for further statements of their views. Effect to this direction was given in *Opinion* 170.

Having regard to the General Directive given to the Commission by the International Congress of Zoology that it shall deal in one sense or another with every application submitted to it and should record the decision so taken in a manner which will permit of its being recorded in the appropriate Schedule to the *Règles*, it is incumbent upon the Commission to replace as soon as possible the provisional Ruling given in *Opinion* 170 with a substantive Ruling disposing of this case in whatever may be found to be the manner generally desired. For this purpose, this case has been re-registered under the Number

Z.N.(S.) 803 and arrangements are being made for the preparation of a revised application which, when received, will be published in the *Bulletin of Zoological Nomenclature* and thus thrown open to public discussion.

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature*

24th January 1955

Corrigenda

- page 5. Line 11 from bottom : substitute " Ninth " for " Sixth ".
- page 6. Line 8 : substitute " Ninth " for " Sixth ".
- page 11. Line 13 from bottom ; substitute " Ninth " for " Sixth ".
- page 12. Line 6 : substitute " Ninth " for " Sixth ".
- page 15. Line 9 from bottom : at end of sentence after the date " 1810 ", insert the words " should be accepted as designation of types of the genera in question."
- page 21. Last line of " Summary " : at end insert the following sentence : " The names *Morpho* Fabricius, 1807 (type : *Papilio achilles* Linnaeus, 1758), *Helicopsis* Fabricius, 1807 (type : *Papilio cupido* Linnaeus, 1758), and *Pontia* Fabricius, 1807 (type : *Papilio daplidice* Linnaeus, 1758) are hereby added to the *Official List of Generic Names in Zoology* as Names Nos. 564 to 566 ".
- page 135. Line 3 of Section (1) of " Summary " : after the words " earlier name ", insert the words " where that name is itself an available name ".
- page 135. Line 6 of Section (1) of " Summary " : at the beginning of the sentence following the word " Example ", insert the words " Assuming that the name *Achatina* Lamarck, 1799, is an available name ".
- page 135. Line 2 from bottom : delete the sentence commencing with the word " If " and ending (on line 2 of page 136) with the words " not available ".
- page 147. Last line but one of " Summary " : substitute " *Sphingonotus* " for " *Sphingonothus* ".
- page 147. Paragraph 1, last line but two : substitute " *Sphingonotus* Fieber " for " *Sphingonothus* Fieber (as *Sphingonotus*) ".
- page 150. Line 25 : substitute " *Sphingonotus* " for " *Sphingonothus* ".
- page 157. Line 2 : substitute " *Sphingonotus* " for " *Sphingonothus* ".
- page 291. Line 2 of title : between the word " Gervais " and the word " van ", insert the word " and ".
- page 297. Paragraph 6, line 1 : substitute " Stekhoven " for " Steckhoven ".
- page 298. Paragraph 8, line 9 : substitute " *Anguillula* " for " *Anguillulina* ".
- page 299. Paragraph 11, line 1 : substitute " Ditlevsen " for " Ditlevson ".
- page 299. Paragraph 14, line 2 : substitute " Alma-Ata, Kazakhstan " for " Almata, Krazekstau ".
- page 615. Line 18 of Ruling : substitute " *Euthalia* Hübner, [1819] " for " *Euthalia* Hübner, [1818] ".

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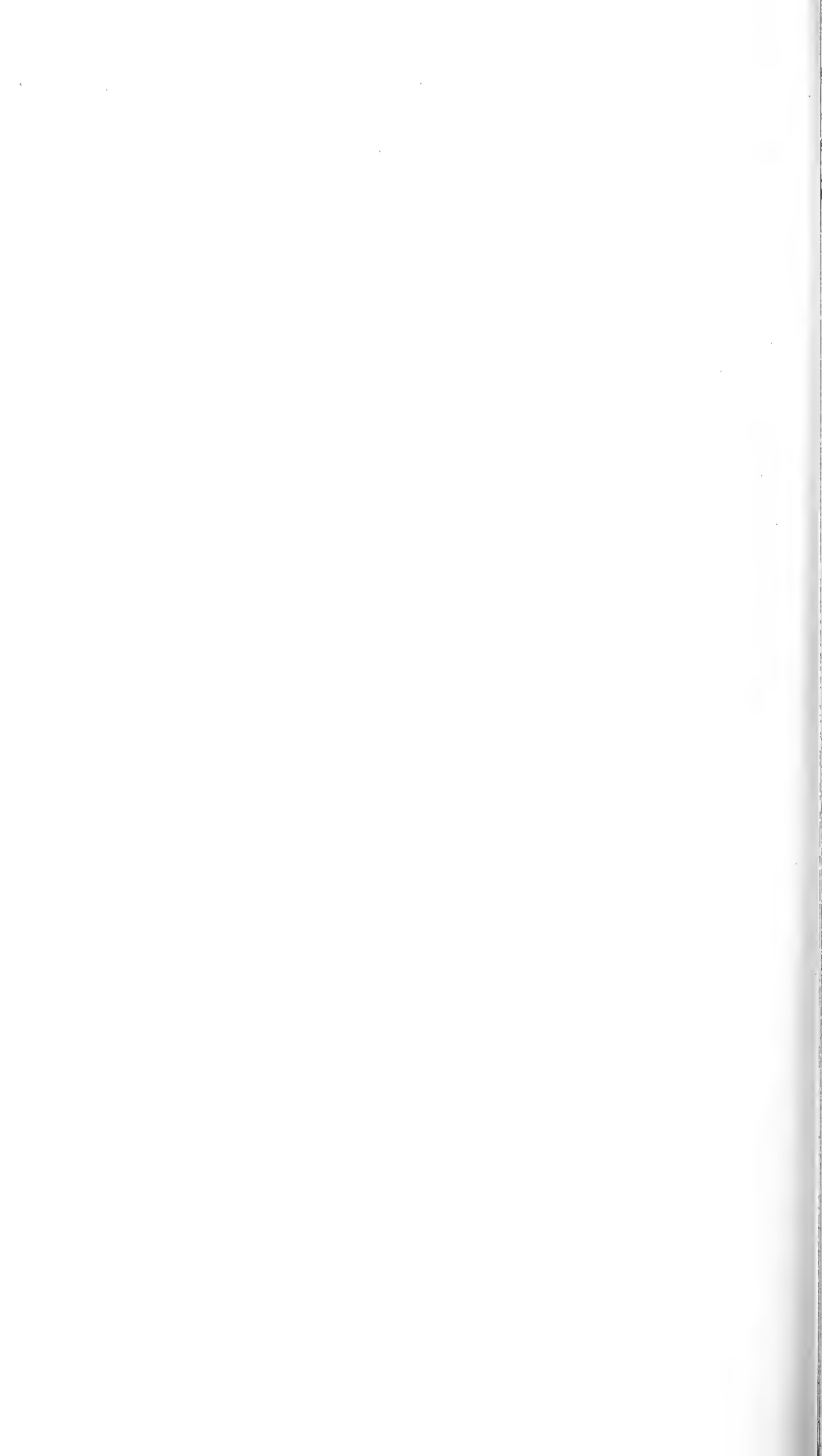
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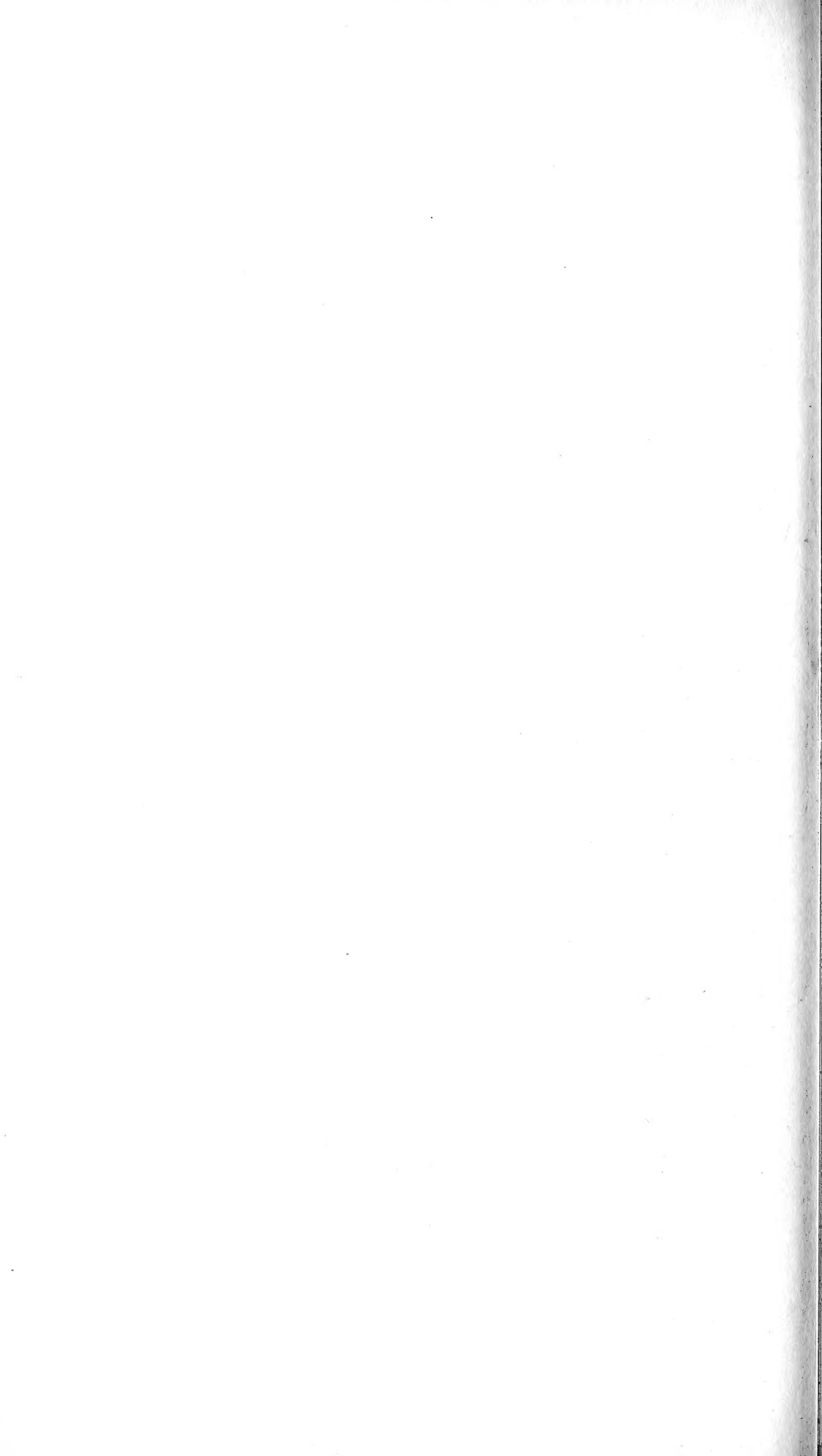
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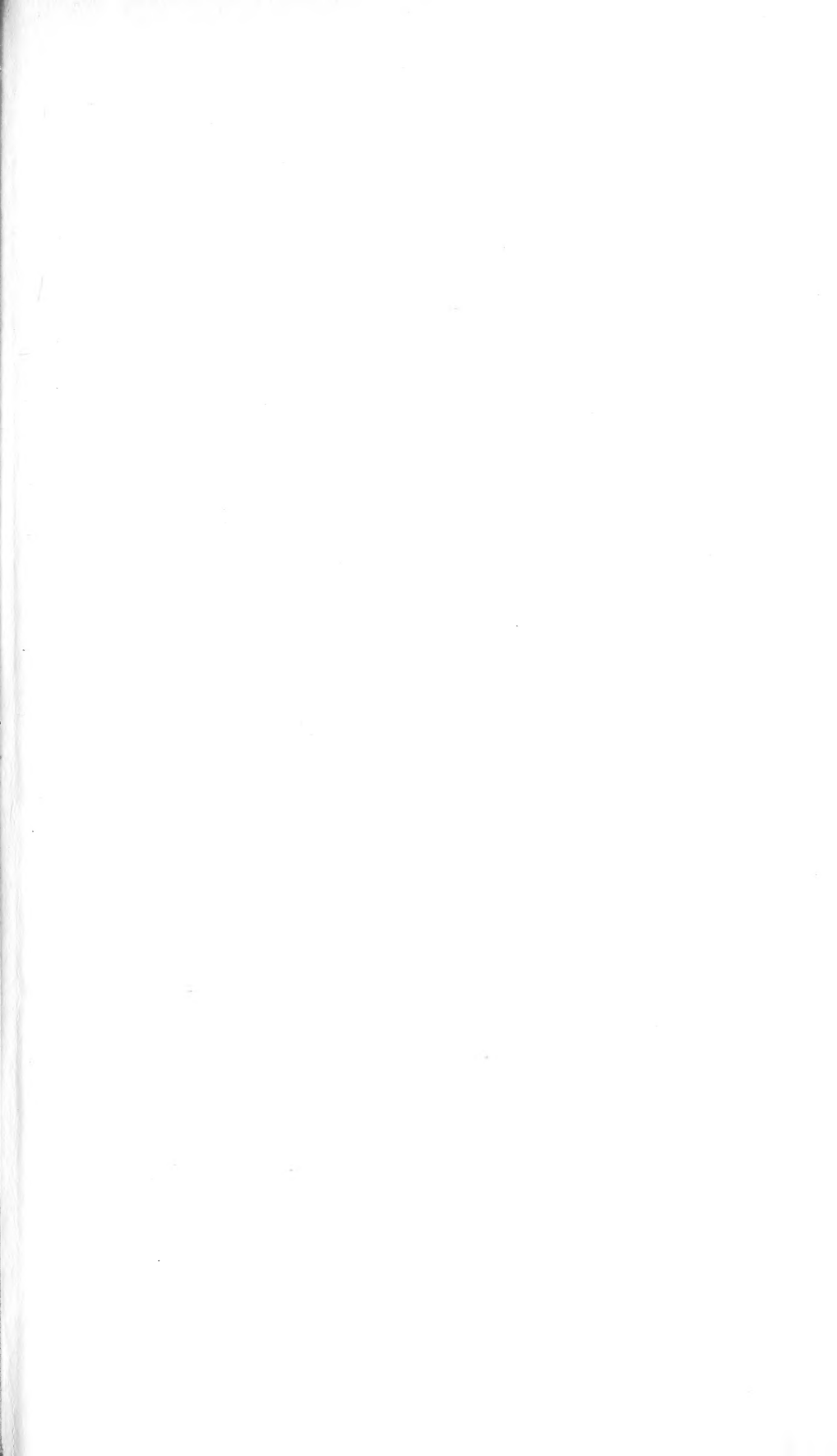
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